

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

KEERAN K SINGH

Claimant

APPEAL NO. 11A-UI-16454-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CRANE CONSTRUCTION COMPANY

Employer

OC: 05/08/11

Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Keeran K. Singh filed a timely appeal from an unemployment insurance decision dated December 22, 2011, reference 01, that disqualified him for benefits. After due notice was issued, a telephone hearing was held January 26, 2012, with Mr. Singh participating. Office Manager April Owens and Project Manager Bob Beahler participated for the employer, Crane Construction Company.

ISSUE:

Did the claimant leave work with good cause attributable to the employer?

FINDINGS OF FACT:

Keeran K. Singh was employed as a laborer by Crane Construction Company from August 2011 until he resigned November 18, 2011. Two weeks before his resignation, he notified the company in writing that he would be leaving to pursue other interests. Mr. Singh had not worked in construction previously. The supervisors at the job site used profanity. On one occasion, a trailer that had not been secured to a truck came free and rolled in Mr. Singh's direction. On another occasion, Mr. Singh was instructed to clean up the work site by hand, rather than using a piece of equipment known as a "mule." The project supervisors sublet an apartment from Mr. Singh. In early December, after the employment had ended, they left the apartment without paying their rent.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the evidence establishes that the claimant left work with good cause attributable to the employer. It does not.

Iowa Code section 96.5-1 provides:

An individual shall be disqualified for benefits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department.

An individual may receive unemployment insurance benefits if the individual leaves work because of unsafe working conditions or because of intolerable or detrimental working conditions. See 871 IAC 24.26(2) and (4). On the other hand, an individual is disqualified for benefits if the individual leaves work because of dissatisfaction with the work environment or because of a personality conflict with a supervisor. See 871 IAC 24.35(21) and (22).

Mr. Singh cited a single unsafe incident. This does not establish generally unsafe working conditions. He testified of coarse behavior by his supervisors and asserted that they were vindictive. Construction is physically demanding work. Profane and harsh language can be expected. The evidence does not persuade the administrative law judge that the working conditions at the site were significantly worse than at other construction sites.

The claimant's testimony indicates that he may have a claim against his former supervisors for unpaid rent. This administrative law judge has no jurisdiction to resolve that claim. The evidence does not indicate that Crane Construction Company should be responsible for the payment of unemployment insurance benefits to Mr. Singh for the off-duty actions of two of their employees. Benefits are withheld.

DECISION:

The unemployment insurance decision dated December 22, 2011, reference 01, is affirmed. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw