

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**GARY L MCMURRY**  
Claimant

**APPEAL NO: 19A-UI-02837-JE-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**G4S SECURE SOLUTIONS (USA) INC**  
Employer

**OC: 03/03/19**  
**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Leaving

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the March 27, 2019, reference 01, decision that denied benefits. After due notice was issued, a telephone hearing was held before Administrative Law Judge Julie Elder on April 24, 2019. The claimant participated in the hearing. Jana Spratt, Human Resources Manager, participated in the hearing on behalf of the employer.

**ISSUE:**

The issue is whether the claimant voluntarily left his employment with good cause attributable to the employer.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed as a full-time security officer for G4S Secure Solutions from September 23, 2015 to February 10, 2019. He voluntarily left his employment because he was dissatisfied with the working conditions.

The claimant was a security officer assigned at Central College in Pella. He was required to go around and check the doors on campus and respond to any emergencies reported by students or staff. The employer provided security officers with golf carts and a front wheel drive van but occasionally it was so cold the golf cart would not run or so snowy the van could not get through in which case the security officers would need to walk the campus. The claimant was dissatisfied with the cold weather clothing furnished by the employer. Due to the extreme weather the State endured in 2018, the claimant submitted his resignation notice January 20, 2019, effective February 10, 2019.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left his employment without good cause attributable to the employer.

Iowa Code § 96.5-1 provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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.

In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. 871 IAC 24.25. Leaving because of unlawful, intolerable, or detrimental working conditions would be good cause. 871 IAC 24.26(3),(4). Leaving because of dissatisfaction with the work environment is not good cause. 871 IAC 24.25(1). The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code section 96.6-2.

The winter of 2018 was extremely snowy and incredibly cold. However, the intolerable and detrimental working conditions caused by the winter conditions cannot be attributed to the employer. The claimant knew when he accepted this job that it involved being outdoors a great deal of time and that he would have to perform the functions of his job despite the weather conditions. The employer provided winter clothing but the claimant was not satisfied with what he received. It provided a golf cart and van which sometimes either did not start or had difficulty in the snow because of the winter conditions. The employer cannot control the weather and the job was not misrepresented at the time of hire. Under these circumstances, the administrative law judge cannot conclude the claimant has established his leaving was for good cause attributable to the employer as that term is defined by Iowa law. Therefore, benefits must be denied.

**DECISION:**

The March 27, 2019, reference 01, decision is affirmed. The claimant voluntarily left his employment without good cause attributable to the employer. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

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Julie Elder  
Administrative Law Judge

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Decision Dated and Mailed

je/scn