

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ERIC J FISK
Claimant

APPEAL NO. 10A-UI-00212-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TECH TEAM GLOBAL INC
Employer

**Original Claim: 11/01/09
Claimant: Appellant (1)**

Section 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

Eric Fisk filed an appeal from a representative's decision dated November 24, 2009, reference 01, which denied benefits based on his separation from Tech Team Global, Inc. After due notice was issued, a hearing was held by telephone on February 15, 2010. Mr. Fisk participated personally. The employer participated by Lori Bassow, Senior Human Resources Professional.

ISSUE:

At issue in this matter is whether Mr. Fisk was separated from employment for any disqualifying reason.

FINDINGS OF FACT:

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Fisk was employed by Tech Team Global, Inc. from March 22, 2007 until October 9, 2009. He was employed full-time as technical support. In July of 2009, he was notified that his job was being eliminated but was given the opportunity to select a new area in which to work. On or about August 31, he selected John Deere as the call center area in which he would work. He would continue to work as technical support, only for a different client.

Mr. Fisk gave notice on October 2 that October 16 would be his last day of work, as he had another job. He quit before the effective date of his quit because he did not like the fact that the team leader sent him instant messages regarding his work. The instant messages told him to limit the amount of time on his calls and, if the call was not urgent, call the person back at a later time. It is the employer's practice to try to limit a technician's call to ten minutes, after which the call should be escalated to someone else or the customer called back later. He also did not feel the technical resource personnel were responsive to his questions.

Mr. Fisk had not put the employer on notice that he intended to quit over work-related matters. Continued work would have been available if he had not quit. He was even offered additional training on October 9.

REASONING AND CONCLUSIONS OF LAW:

An individual who leaves employment voluntarily is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). The evidence of record failed to establish any good cause attributable to Mr. Fisk's employer. It was not unreasonable for his team leader to remind him to move onto a new customer if he was spending too much time on the current one. The administrative law judge is not inclined to believe that the technical support personnel were unresponsive to his questions. If there were, in fact, such issues, Mr. Fisk had an obligation to put the employer on notice that he intended to quit over the issues. This would have allowed the employer an opportunity to address and resolve the issues to salvage the employment relationship.

The administrative law judge appreciates that the job Mr. Fisk had been working was eliminated. However, he chose to remain with the company and move to a different account. Therefore, he acquiesced to any changes made in his job by remaining in the employment. After considering all of the evidence and the contentions of the parties, the administrative law judge concludes that Mr. Fisk voluntarily quit his employment without good cause attributable to the employer. As such, benefits are denied.

DECISION:

The representative's decision dated November 24, 2009, reference 01, is hereby affirmed. Mr. Fisk quit his employment with Tech Team Global, Inc. for no good cause attributable to the employer. Benefits are denied until he has worked in and been paid wages for insured work equal to ten times his weekly job insurance benefit amount, provided he is otherwise eligible.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/kjw