

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

LINDSAY C WILLIAMS
Claimant

YELLOWBOOK INC
Employer

APPEAL NO. 17A-UI-03157-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 02/26/17
Claimant: Appellant (2)

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated March 13, 2017, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on April 13, 2017. Claimant participated. Employer participated by Justin Linnell, Michael Lafler, Travis Wilming and Lauryn Russell.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on February 24, 2017. Claimant quit working on February 24, 2017 because claimant believed employer shared private medical information with third parties who had no right, authority, or need to the private information. Soon after claimant shared her private medical information with two supervisors, claimant received a text from the ex-girlfriend of claimant's boyfriend, with whom claimant had just recently broken up because the boyfriend had reconnected with his ex-girlfriend. The ex-girlfriend stated that she'd just received information from claimant's supervisor that claimant had been talking about her.

Claimant was very upset when she received this text. She went to her inside sales director and a manager and complained that another manager had shared the information with outside people. She shared the email with all relevant parties. Employer asked claimant to contact the woman who was the ex-girlfriend to find out with particularity how she'd gotten this information. Claimant explained that this woman had been blocked by her, and she had no desire to further contact her.

Claimant believed that she was unable to get any satisfactory response to her issue from her employer. She then quit her job.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 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.

The administrative law judge holds that the evidence has established that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because her employer had shared confidential information with third parties.

The manager accused of sharing the information admitted that he had contact with a person who was a friend with the ex-girlfriend soon after he'd received the personal medical information. This manager denied that he'd shared any personal information about claimant.

The testimony received from each of employer's witnesses, except the manager in question was extremely credible. The manager who denied sharing the information did admit to having contact with a friend of the ex-girlfriend. He initially stated that it was through Snapchat, but his co-manager stated that he'd had a conversation with the friend. The manager then clarified that he had a series of Snapchat texts with his friend, and those texts constituted the conversation that he had. The administrative law judge finds the manager's testimony to be highly questionable. Not only was the testimony questionable by claimant, who clarified only when asked additional questions by the judge, but his version of the facts did not jibe with the timeline stated by other witnesses.

Considering that all witnesses saw the text that referenced being told information by a manager, it is believed that a manager did share this personal medical information with outside parties. After having extremely personal information shared with a person claimant would never have wanted to know that personal information, claimant had good cause attributable to employer to quit her employment.

DECISION:

The decision of the representative dated March 13, 2017, reference 01, is reversed. Unemployment insurance benefits are allowed provided claimant is otherwise eligible.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/rvs