

IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI

NANCY K VORLAND  
1315 N UNION RD  
CEDAR FALLS IA 50613

KINSETH HOTEL CORPORATION  
c/o EMPLOYERS UNITY INC  
PO BOX 749000  
ARVADA CO 80006-9000

Appeal Number: 04A-UI-04946-MT  
OC: 03/28/04 R: 03  
Claimant: Respondent (1)

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

---

(Administrative Law Judge)

---

(Decision Dated & Mailed)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Employer filed an appeal from a decision of a representative dated April 19, 2004, reference 01, which held claimant eligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on May 27, 2004. Claimant participated. Employer participated by Lucie Hengan, Hearing Representative Employers Unity, Brian Ossian, General Manager, and Maria Murphy, Director of Sales and Marketing. Exhibit A was admitted into evidence.

#### 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 March 23, 2004. Claimant quit due to a conflict with her supervisor. Claimant had severe conflicts with her manager, Maria Murphy. Employer was on notice of this abrasive relationship that made the work absolutely miserable for claimant. Claimant was constantly being micromanaged due to the fear of claimant going over the head of Ms. Murphy. There is little that was done by the employer notwithstanding many complaints. Ms. Murphy did nothing to change her management style even though she had full knowledge of the misery she was causing claimant. Claimant had an excellent work record. The working conditions became so intolerable that it was making claimant sick.

#### REASONING AND CONCLUSIONS OF LAW:

The issue in this matter is whether claimant quit for good cause attributable to employer. 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 claimant quit due to intolerable working conditions. This is not a short term or simple personality conflict. This is a long-term problem that was brought to the attention of the employer many times. Two members of management understood the problems and yet did nothing to resolve the conflict. Benefits allowed.

871 IAC 24.26(4) provides:

Voluntary quit with good cause attributable to the employer and separations not considered to be voluntary quits. The following are reasons for a claimant leaving employment with good cause attributable to the employer:

(4) The claimant left due to intolerable or detrimental working conditions.

#### DECISION:

The decision of the representative dated April 19, 2004, reference 01, is affirmed. Unemployment insurance benefits shall be allowed, provided claimant is otherwise eligible.

mdm\kjf