

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**JACKLYN D VEASLEY**  
Claimant

**MASON CITY CUISINE INC**  
Employer

**APPEAL NO. 14A-UI-12541-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 11/02/14  
Claimant: Appellant (1)**

Iowa Code § 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated November 25, 2014, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on December 31, 2014. Claimant participated. Employer participated by Todd Hoekstra.

**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 September 7, 2014. Claimant had worked in the salad bar prep area for a Ruby Tuesday restaurant. Claimant became upset that a coworker had taken pictures of her while she was out dancing and posted those pictures to Snapchat. The taking and posting of pictures was not done as a part of anyone's official duties, nor was it done during work hours.

Claimant was bothered not only by the coworker posting of pictures of her, but also by the fact that this same employee would use the table she had to help her set up the salad bar. No one else used this table, and claimant thought it was done to upset her. Claimant went to her manager about this, and the manager asked to coworker to stop doing it.

Claimant stated that she had planned to quit work by the end of October to go back to school, but this quitting occurred earlier than planned because of this coworker.

**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.

Iowa Admin. Code r. 871-24.25(21) provides:

Voluntary quit without good cause. 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. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code § 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code § 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(21) The claimant left because of dissatisfaction with the work environment.

The administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because she did not get along with a coworker. The actions of claimant's coworker occurred outside of work, and did not involve employer. Additionally, when claimant mentioned to her manager that she was displeased with a coworker putting things on her work table, the manager immediately addressed the situation.

**DECISION:**

The decision of the representative dated November 25, 2014, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

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Blair A. Bennett  
Administrative Law Judge

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Decision Dated and Mailed

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