

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**NICOLE BOONE**  
Claimant

**CEDAR RAPIDS COMM SCHOOL DIST**  
Employer

**APPEAL NO. 16A-UI-07379-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 06/05/16**  
**Claimant: Appellant (1)**

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Iowa Code § 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated June 30, 2016, reference 03, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on August 3, 2016. Claimant participated. Employer participated by Brittany Carney and Eric Anderson.

**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 May 6, 2016. Claimant quit her employment with employer because she did not believe employer was being attentive to her needs of getting her timely pay.

Claimant shut down her previous checking account to which her pay was automatically sent. Claimant filled out paperwork with employer requesting that she have her next paycheck issued as a live check rather than being directly deposited into any account. Claimant filled out the paperwork employer stated was needed to effectuate this change on April 25, 2016. Claimant was to be paid on May 6, 2016. Claimant did not receive a check on that date. When claimant went to employer and asked where her check was, employer stated that as the electronic check had been sent to her old bank, that claimant would have to get another document signed by her old financial institution signifying that the account was cancelled and employer would have to have the electronic check returned prior to issuing a new check. This response upset claimant very much.

Claimant did get the necessary documentation returned to the employer, but claimant quit her work as she lives paycheck to paycheck, and had thought she'd done everything required in order to be issued a paper check when all others were given their paper checks. When she

didn't receive this check, creditors would be pressuring her. Whereas claimant was supposed to receive her paper check on May 6, 2016, when she didn't receive it on that date, she quit. Claimant was given her paycheck on May 11, 2016.

**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 failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because she did not receive a paper check on the date when checks were handed out.

Claimant believed that she'd followed all necessary steps when she filled out paperwork alerting employer of her changed banking status. Employer did not give claimant her check as, unknown to claimant, she needed to fill out additional paperwork in order to get the live check. Employer searched further into this situation as soon as her complaint was brought by employer, and the check confusion was remedied in less than a week. This was not an ongoing problem, and was remedied by the employer in an appropriate time frame. Each case must turn around its own facts. Wolfe v. IUCC, 232 Iowa 1254 7 N.W.2d 799 (Iowa 1943). This case turns on the fact that although employer did not have a check for claimant on payday, claimant was not deprived of her pay. Pay was delayed until reasonable and appropriate documentation was completed. Claimant was reasonably frustrated with the situation; it was not reasonable for claimant to quit her employment.

**DECISION:**

The decision of the representative dated June 30, 2016, reference 03, 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

bab/pjs