

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

LAURIE COOPER
Claimant

AG PARTNERS, LLC
Employer

APPEAL 20A-UI-06088-BH-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 05/03/20
Claimant: Appellant (1)**

Iowa Code section 96.5(1) – Voluntary Quit
Iowa Admin. Code r. 871-24.25 – Voluntary Quit Without Good Cause
Iowa Admin. Code r. 871-24.26 – Voluntary Quit With Good Cause

STATEMENT OF THE CASE:

The claimant, Laurie Cooper, appealed the June 11, 2020 (reference 01) unemployment insurance decision that denied benefits based upon a finding Cooper voluntary quit her job with Ag Partners, LLC (Ag Partners) without good cause attributable to the employer. The agency properly notified the parties of the hearing. The undersigned presided over a telephone hearing on July 13, 2020. Cooper participated personally and testified. Ag Partners participated through Angie Harms.

ISSUES:

Was Cooper's separation from employment with Ag Partners a layoff, discharge for misconduct, or voluntary quit without good cause attributable to the employer?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the undersigned finds the following facts.

Ag Partners hired Cooper on December 4, 2018. She worked full time as a grain buyer assistant. Samantha Whitaker was her immediate supervisor. Cooper quit her job with Ag Partners on May 8, 2020.

Ag Partners had turnover in the grain buying area of their operation that prevented Cooper from getting training immediately upon her hire. Nonetheless, Cooper eventually got some training, which began in February of 2019. It was then interrupted when Ag Partners had a computer system issue.

Cooper did not get along with all of her coworkers. She complained to management about the way they treated her. During a performance review, Doug Dillman and Whittaker instructed Cooper to notify management if she had any additional issues.

One of the coworkers later accused Cooper of recording audio of her without permission. Cooper notified Dillman and Whitaker of the false accusation. She believed the coworker had accused her of a crime. Management did not respond to Cooper's complaint as she had hoped.

Management reprimanded Cooper for alleged mistakes. She felt three of them were incorrect allegations. Cooper discussed them with management. Under the plan, Cooper would be required to improve her performance or face discharge.

Cooper gave Whitaker written notice of her termination because of what she believed were inaccuracies in the written reprimand she received as well as what she felt was harassment from coworkers. The alleged harassment was the primary factor in her quitting.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the undersigned concludes Cooper's separation from the employment was without good cause attributable to AG Partners under Iowa law.

Iowa Code section 96.5(1) states an individual is disqualified for benefits if the individual left work voluntarily without good cause attributable to the individual's employer. Iowa Administrative Code rule 24.25 states:

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 section 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 section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10.

Here, Cooper quit because of what she felt was harassment by coworkers. However, there is no indication Cooper's coworkers held animus toward her because of a protected characteristic under civil rights law or due to her engagement in a protected activity. Further, the allegations against Cooper's coworkers do not rise to the level of impacting the terms or conditions of Cooper's employment with AG Partners.

Rather, it appears Cooper quit because she did not get along with her coworkers. Under Iowa Administrative Code rule 24.25(6), it is presumed that a claimant quit without good cause attributable to the employer if the claimant left employment because of an inability to work with other employees. The evidence shows Cooper quit her job with Ag Partners because of an inability to work with other employees. Benefits are therefore denied.

DECISION:

Regular Unemployment Insurance Benefits Under State Law

The June 11, 2020 (reference 01) unemployment insurance decision is affirmed. Cooper voluntarily left her employment without good cause attributable to AG Partners. Benefits are withheld until such time as Cooper has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

Pandemic Unemployment Assistance (PUA) Under the Federal CARES Act

Even though Cooper is not eligible for regular unemployment insurance benefits under state law, she may be eligible for federally funded unemployment insurance benefits under the CARES Act. Section 2102 of the CARES Act creates a new temporary federal program called Pandemic Unemployment Assistance (PUA) that in general provides up to 39 weeks of unemployment benefits. An individual receiving PUA benefits may also receive the \$600 weekly benefit amount (WBA) under the Federal Pandemic Unemployment Compensation (FPUC) program if she is eligible for such compensation for the week claimed. This decision does not address whether Cooper is eligible for PUA. For a decision on such eligibility, she must apply for PUA, as noted in the instructions provided in the "Note to Claimant" below.



Ben Humphrey
Administrative Law Judge

July 21, 2020
Decision Dated and Mailed

bh/scn

NOTE TO CLAIMANT:

- This decision determines you are not eligible for regular unemployment insurance benefits under state law. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision.
- If you do not qualify for regular unemployment insurance benefits under state law and are currently unemployed for reasons related to COVID-19, you may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** For more information about how to apply for PUA, go to:

<https://www.iowaworkforcedevelopment.gov/pua-information>