

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

**SHELLY A LONGFELLOW**  
Claimant

**APPEAL NO. 17A-UI-09646-S1-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**NEW BALANCE COMMODITIES INC**  
Employer

**OC: 08/20/17**  
**Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

Shelly Longfellow (claimant) appealed a representative's September 12, 2017, decision (reference 01) that concluded she was not eligible to receive unemployment insurance benefits because she voluntarily quit work with New Balance Commodities (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for October 6, 2017. The claimant participated personally. The employer participated by Kristi Drake, Owner/Director of Finance, and Rhonda Baker, Controller. The claimant offered and Exhibit A was received into evidence.

**ISSUE:**

The issue is whether the claimant was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was hired on July 17, 2017, as a full-time staff accountant/human resources administrator. The claimant received a copy of the job duties for the staff accountant position. It stated, "This person will be responsible for daily entries for Accounts Payable, Accounts Receivable, Inventory, and Cattle programs, expense reporting and all stages of the accounts payable process."

On August 4, 2017, the employer met with the claimant to discuss issues with the claimant's accuracy and detail in her data entry. The claimant felt she was being reprimanded for her lack of data entry skills although no reprimand was issued. The claimant had an undergraduate degree in accounting and a master's degree in business administration. On August 7, 2017, the claimant sent the employer an e-mail of resignation. It stated, "I have zero desire to be a part of your organization and am resigning. The passive aggressive undercurrents and lack of timely, straight forward communication simply do not work for me." Continued work was available had the claimant not resigned.

## REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow the administrative law judge concludes the claimant voluntarily quit work without good cause attributable to the employer.

Iowa Code § 96.5-1 provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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(28) 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 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. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(28) The claimant left after being reprimanded.

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 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. 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.

A voluntary leaving of employment requires an intention to terminate the employment relationship accompanied by an overt act of carrying out that intention. *Local Lodge #1426 v. Wilson Trailer*, 289 N.W.2d 608, 612 (Iowa 1980). The claimant's intention to voluntarily leave work was evidenced by her words and actions. She told the employer she was leaving and quit work. When an employee quits work after having been reprimanded or because she is dissatisfied with her work environment, her leaving is without good cause attributable to the employer. The claimant left work after feeling she had been reprimanded. She also left because she did not like her work environment. Her leaving was without good cause attributable to the employer. The claimant voluntarily quit without good cause attributable to the employer. Benefits are denied.

**DECISION:**

The representative's September 12, 2017, decision (reference 01) is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times the claimant's weekly benefit amount provided the claimant is otherwise eligible.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

bas/scn