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Minn. Stat. § 480A.08, subd. 3 (2006).*

**STATE OF MINNESOTA  
IN COURT OF APPEALS  
A07-0347**

Christina Igoe,  
Relator,

v.

Wells Fargo Bank NA,  
Respondent,

Department of Employment and Economic Development,  
Respondent.

**Filed February 19, 2008  
Affirmed  
Wright, Judge**

Minnesota Department of Employment and Economic Development  
File No. 16196 06

Christina Igoe, 5505 40th Avenue South, Minneapolis, MN 55417 (pro se relator)

Wells Fargo Bank NA, P.O. Box 1160, Columbus, OH 43216 (respondent)

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MN 55101 (for respondent department)

Considered and decided by Peterson, Presiding Judge; Stoneburner, Judge; and  
Wright, Judge.

## UNPUBLISHED OPINION

**WRIGHT**, Judge

Relator challenges the unemployment law judge's determination that relator is disqualified from receiving unemployment benefits because she quit her job without a good reason caused by her employer. We affirm.

### FACTS

Relator Christina Igoe was employed as a teller at Wells Fargo Bank from September 2005 to September 2006. Before leaving work on Friday, September 8, 2006, Igoe noticed that another teller had left a bag containing \$4,000 in his work area. Igoe placed the money in her drawer, intending to return it to the other teller or to her manager the following Monday morning. The other teller was absent on Monday and Tuesday, and Wells Fargo began an investigation. Igoe left the money in her drawer until Wednesday when she reported it to her manager.

Igoe was placed on administrative leave pending further investigation. She was advised that the investigation was confidential and was instructed not to speak to anyone about it. Contrary to these instructions, Igoe told the teller who left the money in his work area about the investigation.

Following the investigation, Wells Fargo placed Igoe on "final notice" for keeping the \$4,000 in her drawer for several days without reporting it to her supervisor, incorrectly reporting her drawer balances during that time, and breaching the confidentiality requirement. Igoe was advised that the final notice would remain in her personnel record for the duration of her employment and was warned that, if she incurred

similar violations, she would face employment termination. After returning from administrative leave, Igoe resigned on September 19, 2006.

An adjudicator with the Department of Employment and Economic Security (the department) determined that Igoe was not qualified to receive unemployment benefits. Igoe appealed, and a telephonic hearing was held before an unemployment law judge (ULJ) on December 8, 2006. The ULJ determined that Igoe quit her employment without a good reason caused by Wells Fargo and, therefore, is disqualified from receiving unemployment benefits. Igoe sought reconsideration, and the ULJ affirmed the decision. This certiorari appeal followed.

## **D E C I S I O N**

We review the decision of a ULJ to determine whether the substantial rights of the relator have been prejudiced because the findings, inferences, conclusion, or decision are “(1) in violation of constitutional provisions; (2) in excess of the statutory authority or jurisdiction of the department; (3) made upon unlawful procedure; (4) affected by other error of law; (5) unsupported by substantial evidence in view of the entire record as submitted; or (6) arbitrary or capricious.” Minn. Stat. § 268.105, subd. 7(d) (2006). In doing so, we consider whether, when the ULJ’s factual findings are viewed in the light most favorable to the decision, there is substantial support for them in the record. *Skarhus v. Davanni’s Inc.*, 721 N.W.2d 340, 344 (Minn. App. 2006). Because credibility determinations are the exclusive province of the ULJ, we accord such determinations deference on appeal. *Munro Holding, LLC v. Cook*, 695 N.W.2d 379, 384 (Minn. App.

2005). Whether an employee had good reason to quit presents a question of law, which we review de novo. *Id.*

A person who quits employment is disqualified from receiving unemployment benefits unless a statutory exception applies. Minn. Stat. § 268.095, subd. 1 (2006). An exception to disqualification applies when “the applicant quit the employment because of a good reason caused by the employer.” *Id.*, subd. 1(1). “What constitutes good reason caused by the employer is defined exclusively by statute.” *Rootes v. Wal-Mart Assocs.*, 669 N.W.2d 416, 418 (Minn. App. 2003). A good reason caused by the employer is a reason “(1) that is directly related to the employment and for which the employer is responsible; (2) that is adverse to the worker; and (3) that would compel an average, reasonable worker to quit and become unemployed rather than remaining in the employment.” Minn. Stat. § 268.095, subd. 3(a) (2006). A reason for quitting that occurs because of the applicant’s employment misconduct is not a good reason caused by the employer. *Id.*, subd. 3(d) (2006).

Igoe argues that she quit for a good reason caused by her employer because she was falsely accused of stealing from the bank, which created a hostile environment. She maintains that “the only way” to protect herself from the false accusations was to resign. Igoe also appears to argue that the final notice in her employment record made her vulnerable to future adverse employment action.

Igoe’s argument, however, is without merit. Igoe was investigated and disciplined because she concealed the bank’s money, falsified her drawer balances, and breached the confidentiality agreement. As the ULJ found, “[i]t was clearly within Wells Fargo’s

prerogative to place Igoe on administrative leave and to issue a ‘final notice.’” The actions taken by Wells Fargo would not “compel an average, reasonable worker to quit and become unemployed rather than remaining in the employment.” *Id.*, subd. 3(a)(3). Thus, they do not constitute a good reason to quit.

Igoe’s argument that the possibility of future adverse employment consequences resulting from the discipline constitutes a good reason to quit also is unavailing. Speculation about future adverse consequences does not constitute a good reason to quit. *See Johnson v. Walch & Walch, Inc.*, 696 N.W.2d 799, 802 (Minn. App. 2005) (holding that potential future loss of income was speculative and therefore not good reason attributable to employer), *review denied* (Minn. July 19, 2005). Here, Igoe was not facing specific consequences as a result of the final notice being placed in her record. Rather, she was given a second chance. Any future adverse action by Wells Fargo is purely speculative and contingent on Igoe committing future employment misconduct. As such, the possibility of future adverse employment consequences did not provide a good reason for Igoe to quit attributable to her employer.

Accordingly, the ULJ did not err by concluding that Igoe is disqualified from receiving unemployment benefits because she voluntarily quit without a good reason caused by her employer.

**Affirmed.**