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Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A25-2048**

Maureen A. Wobig,
Relator,

vs.

Northern Tier Retail, LLC,
Respondent,

Department of Employment and Economic Development,
Respondent.

**Filed July 27, 2026
Affirmed
Cochran, Judge**

Department of Employment and Economic Development
File No. 52016464-3

Maureen A. Wobig, Burnsville, Minnesota (pro se relator)

Northern Tier Retail, LLC, Tempe, Arizona (respondent employer)

Melannie M. Markham, Keri A. Phillips, Katrina I. Gulstad, Minnesota Department of
Employment and Economic Development, St. Paul, Minnesota (for respondent
department)

Considered and decided by Cochran, Presiding Judge; Ross, Judge; and Bentley,
Judge.

NONPRECEDENTIAL OPINION

COCHRAN, Judge

Relator employee challenges the determination of an unemployment-law judge (ULJ) that she was ineligible for unemployment benefits because she quit her employment without a good reason caused by her employer. We affirm.

FACTS

Relator Maureen A. Wobig was employed by respondent Northern Tier Retail LLC from June 5, 2023 to July 9, 2025 as a part-time sales associate. Northern Tier Retail expected its employees to act professionally in the workplace and refrain from swearing in front of customers. Wobig was aware of these expectations.

On July 1, 2025, when Wobig arrived at work and before she had put her belongings away, the store manager yelled at Wobig to clock in and sweep the parking lot. Wobig became upset and rolled her eyes. The manager told Wobig to go home. Wobig worked her next shift on July 3. Around this time, the manager received complaints from employees and customers about Wobig.

Wobig next went into work on July 9, not to work a shift, but to use the office computer to enter some requests for time off. While there, the manager told Wobig they needed to discuss the events of July 1 and the customer complaints. The manager told Wobig they would have the discussion on July 11, during Wobig's next scheduled shift. Wobig responded, "Your employees can kiss my a--. I will put in my two-weeks' notice." Customers were present when Wobig made this statement.

That same day, Wobig submitted a resignation letter. The letter stated that her last day of work would be July 23. The employer accepted Wobig's resignation, effective immediately.

Wobig later applied for unemployment benefits and established a benefit account with respondent Minnesota Department of Employment and Economic Development (DEED). DEED issued a determination of ineligibility and Wobig administratively appealed. The ULJ held a de novo hearing and heard testimony from Wobig and Northern Tier Retail's store manager.

The ULJ issued a decision on September 5, 2025, concluding Wobig was ineligible for unemployment benefits. The ULJ determined that Wobig was effectively discharged on July 9 after Wobig's manager told her that her resignation would be accepted immediately. The ULJ also determined that Wobig was discharged for employment misconduct because she swore in front of customers and failed to act professionally in the workplace.

The ULJ also found that Wobig decided to quit on July 9 when she submitted her resignation and that she intended to work through July 23. Citing Minnesota Statutes section 268.095, subdivision 5(d) (2024), the ULJ found that Wobig's quit became effective on July 23 (her intended quit date) because her discharge on July 9 occurred within 30 days of her intended quit date. And the ULJ concluded that she was ineligible for unemployment benefits because she quit and no statutory exceptions applied.

The ULJ made credibility determinations to support the decision. The ULJ found the manager's testimony credible, noting that the manager's testimony was "detailed and logical." The ULJ also noted that Wobig "admitted to making the statement about 'kiss

my a--,” which “was credible testimony because it was specific and straightforward.” But overall, the ULJ found that Wobig “was confused about the dates and sequence of events” and her testimony was “not as credible” as the manager’s testimony.

Wobig requested reconsideration, asserting that she felt unwell at the hearing and was experiencing mental-health issues and claiming that customers did not hear the statements she made in the workplace. The ULJ issued an order on October 23, 2025, determining that the September 5, 2025 decision was factually and legally correct. The ULJ concluded, “Wobig has not provided any information or arguments that require changing the decision or ordering another hearing.”

This certiorari appeal follows.

DECISION

When reviewing a ULJ’s decision, we may affirm the decision or remand for further proceedings. Minn. Stat. § 268.105, subd. 7(d) (2024). We may also reverse or modify the ULJ’s decision if the substantial rights of the relator may have been prejudiced because, among other reasons, the decision is affected by an error of law or not supported by substantial evidence in the record. *Id.*, subd. 7(d)(4)-(5). “Substantial evidence is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.” *Posey v. Securitas Sec. Servs. USA, Inc.*, 879 N.W.2d 662, 665 (Minn. App. 2016) (quotation omitted). We review the ULJ’s factual findings in the light most favorable to the decision. *Wilson v. Mortg. Res. Ctr., Inc.*, 888 N.W.2d 452, 460 (Minn. 2016). The ULJ’s findings will not be disturbed “as long as there is evidence in the record that reasonably tends to sustain them.” *Stagg v. Vintage Place Inc.*, 796 N.W.2d 312, 315 (Minn. 2011). Whether the ULJ’s factual findings establish that the applicant meets a

statutory exception to ineligibility for quitting employment is a question of law reviewed de novo. *Peppi v. Phyllis Wheatley Cmty. Ctr.*, 614 N.W.2d 750, 752 (Minn. App. 2000).

Wobig raises several issues on appeal. Wobig is a self-represented litigant. In DEED proceedings, the ULJ has a “duty to assist” parties with the development of the record. *White v. Univ. of Minn. Physicians Corp.*, 875 N.W.2d 351, 357 (Minn. App. 2016). When a party is self-represented, as is here, “the ULJ must help the party to recognize and interpret the parties’ claims.” *Ntamere v. Decisionone Corp.*, 673 N.W.2d 179, 180 (Minn. App. 2003) (quotation omitted). Even so, self-represented litigants “are generally held to the same standards as attorneys,” *Fitzgerald v. Fitzgerald*, 629 N.W.2d 115, 119 (Minn. App. 2001), and the ULJ must remain neutral, even when assisting a self-represented party in the presentation of evidence, *Stassen v. Lone Mountain Truck Leasing, LLC*, 814 N.W.2d 25, 32 (Minn. App. 2012). On appeal, a party who “inadequately briefs” an argument forfeits the argument. *Brodsky v. Brodsky*, 733 N.W.2d 471, 479 (Minn. App. 2007). We note at the outset that Wobig identifies no legal authority that would support a determination that the ULJ erred by determining that Wobig is ineligible for unemployment benefits. Because Wobig’s arguments are inadequately briefed, we could consider the arguments forfeited on appeal. *See id.*

Even considering Wobig’s arguments, we discern no error by the ULJ warranting reversal. We construe Wobig’s brief as raising two primary issues: whether the ULJ’s credibility determinations require reversal and whether the ULJ erred in determining that Wobig is ineligible for unemployment benefits. We address the merits of her arguments below and determine that neither argument forms the basis for reversal.

I. Wobig’s challenge to the ULJ’s credibility determinations does not warrant reversal.

Wobig challenges the ULJ’s credibility determinations. “Credibility determinations are the exclusive province of the ULJ[.]” *Bangtson v. Allina Med. Grp.*, 766 N.W.2d 328, 332 (Minn. App. 2009) (quotation omitted). “When the parties have presented conflicting evidence on the record, [an appellate court] must defer to the [ULJ’s] ability to weigh the evidence.” *Whitehead v. Moonlight Nursing Care, Inc.*, 529 N.W.2d 350, 352 (Minn. App. 1995).

Wobig argues that the manager “said things that were untrue” at the hearing and “lied” to the ULJ. Wobig invites us to make our own credibility determinations and reweigh the evidence. We cannot do so.

The legislature has provided that “[w]hen the credibility of a witness testifying in a hearing has a significant effect on the outcome of a decision, the [ULJ] must set out the reason for crediting or discrediting that testimony.” Minn. Stat. § 268.105, subd. 1a (2024). When a ULJ provides adequate reasons for the credibility determinations and those findings are supported by substantial evidence, we will defer to the ULJ. *Ywswf v. Teleplan Wireless Servs., Inc.*, 726 N.W.2d 525, 531-33 (Minn. App. 2007); *see also Whitehead*, 529 N.W.2d at 352 (noting that appellate courts “must defer to the [ULJ’s] ability to weigh” conflicting evidence and will not reweigh evidence on appeal).

On review, we are satisfied that the ULJ set out the reasons for crediting or discrediting the testimony in this case and that substantial evidence in the record supports those assessments. *See* Minn. Stat. § 268.105, subd. 1a; *Ywswf*, 726 N.W.2d at 531-33. The ULJ made detailed findings in the initial decision addressing witness credibility. The ULJ found the store manager’s testimony credible because it was “detailed and logical.”

By contrast, the ULJ found Wobig’s testimony generally was not credible because she “was confused about the dates and sequence of events.” And although the ULJ did not make additional credibility findings in the reconsideration order, the ULJ noted that none of Wobig’s arguments required alteration of the initial decision.

Substantial evidence in the record supports the ULJ’s credibility assessments. The record supports the ULJ’s finding that the manager provided a logical and detailed explanation for the events leading up to Wobig’s decision to quit. Specifically, the manager provided dates and times for the events that occurred and testified about the timeline of events. And the record shows that Wobig’s testimony was confusing and the ULJ asked Wobig several times to clarify her testimony.

In sum, the ULJ fulfilled the statutory requirement to “set out the reason for crediting or discrediting” the witness testimony. Minn. Stat. § 268.105, subd. 1a. Substantial evidence in the record supports these findings. We therefore defer to the ULJ’s credibility determinations. *See Whitehead*, 529 N.W.2d at 352.

II. The ULJ did not err by determining that Wobig was ineligible for unemployment benefits.

Having discerned no basis to disturb the ULJ’s credibility determinations, we turn to Wobig’s argument that the ULJ erred by determining she is ineligible for unemployment benefits. We construe her brief as raising three related arguments. We address each argument in turn.

A. The ULJ properly determined that Wobig’s discharge became a quit on July 23 under section 268.095, subdivision 5(d).

Wobig seems to dispute the ULJ’s determination that she quit her employment under section 268.095, subdivision 5(d), arguing instead she was discharged for a reason

other than employment misconduct on July 9. DEED argues that the ULJ did not err in determining that Wobig quit her employment. We agree with DEED.

Eligibility for unemployment benefits due to a quit or discharge is governed by Minnesota Statutes section 268.095 (2024). An applicant is ineligible for unemployment benefits if they quit their employment, unless an exception applies. Minn. Stat. § 268.095, subd. 1. Conversely, an applicant who is discharged may be eligible for unemployment benefits if they were not discharged for employment misconduct. *Id.*, subd. 4. Whether a person quit or was discharged from employment is a question of fact, the finding of which will not be disturbed as long as it is substantially supported by record evidence. *Nichols v. Reliant Eng'g & Mfg., Inc.*, 720 N.W.2d 590, 594 (Minn. App. 2006).

“A quit from employment occurs when the decision to end the employment was, at the time the employment ended, the employee’s.” Minn. Stat. § 268.095, subd. 2(a). A discharge from employment occurs “when any words or actions by an employer would lead a reasonable employee to believe that the employer will no longer allow the employee to work for the employer in any capacity.” *Id.*, subd. 5(a). The law also addresses a situation, such as here, when an employee provides notice of an intention to quit but the employer does not allow the employee to work the entire notice period. In that case, the employee “*is discharged* from the employment as of the date the employer will no longer allow the employee to work.” *Id.*, subd. 5(d) (emphasis added). But “[i]f the discharge occurs *within 30 calendar days* before the intended date of quitting, *then, as of the intended date of quitting, the separation from employment is a quit* from employment[.]” *Id.* (emphasis added).

On appeal, Wobig contends she was discharged because Northern Tier Retail terminated her on July 9 and did not permit her to work her entire notice period. Assuming without deciding that Northern Tier Retail discharged Wobig on July 9 when she first provided her resignation notice, the ULJ correctly found that the July 9 discharge became a quit on July 23 by operation of Minnesota Statutes section 268.095, subdivision 5(d). As stated, if a discharge from employment “occurs within 30 calendar days before the intended date of quitting,” the separation is considered a quit “as of the intended date of quitting.” *Id.* Wobig submitted her resignation notice on July 9, indicating that she wanted to work through July 23. Under section 268.095, subdivision 5(d), Wobig’s discharge became a quit for purposes of unemployment eligibility on July 23 because the July 9 discharge occurred within 30 calendar days before the intended quit date. *See id.* As such, the ULJ did not err in finding that Wobig quit her employment.

B. The evidence supports the ULJ’s decision that Wobig did not have a good reason caused by her employer to quit.

Wobig argues that, if she quit, she had a good reason caused by her employer to do so, claiming she was subject to harassment by her manager. DEED counters that the ULJ did not err in determining that Wobig did not quit because of a good reason caused by her employer. We again agree with DEED.

A person who quits employment is ineligible to receive unemployment benefits unless a statutory exception applies. Minn. Stat. § 268.095, subd. 1. One exception allows a person who has quit “because of a good reason caused by the employer” to receive unemployment benefits. *Id.*, subd. 1(1). The “good reason” must be (1) “directly related to the employment and for which the employer is responsible”; (2) “adverse” to the employee; and (3) one “that would compel an average, reasonable worker to quit and

become unemployed rather than remaining in the employment.” *Id.*, subd. 3(a). “If an applicant was subjected to adverse working conditions by the employer, the applicant must complain to the employer and give the employer a reasonable opportunity to correct the adverse working conditions before that may be a good reason caused by the employer for quitting.” *Id.*, subd. 3(c). “The standard of what constitutes good cause to quit is whether the reason was compelling, real and not imaginary, substantial and not trifling, reasonable and not whimsical or capricious.” *Trego v. Hennepin Cty. Family Day Care Ass’n*, 409 N.W.2d 23, 26 (Minn. App. 1987) (quotation omitted).

We review the ULJ’s “factual findings in the light most favorable to the decision and should not disturb those findings as long as there is evidence in the record that reasonably tends to sustain them.” *Stagg*, 796 N.W.2d at 315 (quotation omitted). But “[t]he issue of whether an employee had good reason to quit is a question of law reviewed de novo.” *Peppi*, 614 N.W.2d at 752.

Wobig claims she “had no choice” but to quit because she was “a victim of harassment and verbal abuse” by the manager. But the ULJ found “that Wobig quit for reasons other than a good reason caused by the employer.” The ULJ found that Wobig was upset that the manager wanted to speak with her about customer complaints and about sweeping the parking lot. The ULJ found that the manager’s requests would not “compel a reasonable employee to quit and become unemployed,” and that asking to speak with an employee about customer complaints did not constitute “an adverse working condition.”

We discern no error in the ULJ’s findings, which are substantially supported by the record. An employee’s dissatisfaction with working conditions or a conflict with others at work generally is not a good reason caused by the employer to quit. *See Trego*, 409 N.W.2d

at 26; *Portz v. Pipestone Skelgas*, 397 N.W.2d 12 (Minn. App. 1986). And being asked to perform a requirement of the job, such as sweeping a parking lot, would not compel an average worker to quit. See Minn. Stat. § 268.095, subd. 3(a). As to Wobig’s argument that her manager was rude to her, it is true that “harassment may constitute good reason” under certain circumstances. *Nichols*, 720 N.W.2d at 595. But “[u]nsatisfactory working conditions and a poor relationship with a supervisor” do not satisfy the good-reason exception. *Portz*, 397 N.W.2d at 14; *Nichols*, 720 N.W.2d at 597 (advising decision-makers to consider “the average man or woman, and not . . . the supersensitive” (quotation omitted)).

The ULJ did not err in determining that Wobig’s dissatisfaction with her working conditions and her conflicts with the manager did not amount to adverse working conditions. See *Portz*, 397 N.W.2d at 14 (ruling that “irreconcilable differences with others at work” and frustrating working conditions did not constitute good cause to quit); *Bongiovanni v. Vanlor Invs.*, 370 N.W.2d 697, 697 (Minn. App. 1985) (“Voluntary separation from employment is not attributable to an employer where evidence shows disharmony between an executive and the employee but does not show that the employer acted unreasonably or in breach of employment duties.”). These circumstances were also unlikely to cause the average, reasonable worker to quit and become unemployed. Moreover, there is no evidence that Wobig gave Northern Tier Retail a reasonable opportunity to address her concerns before quitting. See Minn. Stat. § 268.095, subd. 3(c) (requiring that in case of adverse working conditions, employee must complain and give employer opportunity to correct conditions before they will provide good reason for

employee to quit). We therefore affirm the ULJ's determination that Wobig did not have a good reason to quit caused by her employer.

C. The evidence supports the ULJ's determination that Wobig was discharged for employment misconduct.

Wobig seems to challenge the ULJ's determination that she engaged in employment misconduct that resulted in her discharge on July 9 prior to the July 23 quit. We do not agree.

An individual is ineligible for unemployment benefits if "the applicant was discharged because of employment misconduct." Minn. Stat. § 268.095, subd. 4(1). "Employment misconduct" is "any intentional, negligent, or indifferent conduct, on the job or off the job, that is a serious violation of the standards of behavior the employer has the right to reasonably expect of the employee." *Id.*, subd. 6(a). "[R]efusing to abide by an employer's reasonable policies and requests" generally amounts to disqualifying misconduct. *Schmidgall v. FilmTec Corp.*, 644 N.W.2d 801, 804 (Minn. 2002).

Here, the ULJ found that Northern Tier Retail had the right to expect its employees to "act professionally in the workplace" and refrain from swearing in front of customers. The ULJ found that Wobig violated these expectations by telling the manager to "kiss [her] a--" when customers were present. Wobig admitted at the hearing before the ULJ that she "said a bad word" and told her manager that the employees could "kiss [her] butt." Given this evidence, we discern no error in the ULJ's finding that Wobig violated the standards of behavior that Northern Tier Retail reasonably expected of her.

In sum, because Wobig's actions constituted employment misconduct and the record supports the ULJ's findings, we conclude the ULJ did not err in determining that Wobig was ineligible for unemployment benefits following her discharge on July 9. We

further conclude that the ULJ did not err in determining that she was not entitled to unemployment benefits on July 23, when her discharge became a quit by operation of section 268.095, subdivision 5(d), because she did not quit due to a good reason caused by her employer.¹

Affirmed.

¹ In her request for reconsideration and in her brief on appeal, Wobig argues she was nervous and suffering from anxiety at the hearing. The ULJ declined to consider this new argument on reconsideration. *See* Minn. Stat. § 268.105, subd. 2(c) (2024) (stating a ULJ shall not “consider any evidence that was not submitted at the [evidentiary] hearing” except for purposes of determining whether to grant additional hearing). Because the ULJ did not consider this evidence, we likewise decline to consider it. *See Thiele v. Stich*, 425 N.W.2d 580, 582 (Minn. 1988) (holding that this court does not consider material not presented to and considered by the previous decision-maker). Wobig also claims the ULJ’s ruling affected her financially and caused her stress. Because an ineligibility determination may not be overturned or modified based on equitable grounds, we cannot afford her relief on the basis of this argument. *See* Minn. Stat. § 268.069, subd. 3 (2024) (“There is no equitable or common law denial or allowance of unemployment benefits.”).