

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

LINDA K GRIFFIN
Claimant

APPEAL NO. 08A-UI-10130-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**LUTHER CARE SERVICES/
HOMES FOR THE AGING**
Employer

**OC: 10/05/08 R: 02
Claimant: Appellant (1)**

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Linda Griffin, filed an appeal from a decision dated October 28, 2008, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on November 17, 2008. The claimant participated on her own behalf. The employer, Luther Care Services, participated by Administrator Candy Plew.

ISSUE:

The issue is whether the claimant quit work with good cause attributable to the employer.

FINDINGS OF FACT:

Linda Griffin was employed by Luther Care Services beginning July 29, 2008 as a full-time certified nursing assistant. On October 7, 2008, she brought in a note from her doctor saying she could no longer work in this job because of high blood pressure and kidney failure. The note recommended desk work only, but there is no desk work at the facility the claimant has the training and experience to perform. Human Resources Manager Kimberly Newton suggested the claimant change her status to PRN, on call as needed, in the hopes her doctor would release her to return to work full-time without restrictions, but this has not happened as of the date of the hearing. She has not worked since October 7, 2008.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 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 claimant quit because of non-work-related medical conditions. She was no longer able to do the work she was hired to do and did not have the work experience or training to do any more sedentary work. This is a voluntary quit without good cause attributable to the employer and the claimant is disqualified under the provisions of 871 IAC 24.25(35)d.

DECISION:

The representative's decision of October 28, 2008, reference 01, is affirmed. Linda Griffin is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount, provided she is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/kjw