

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**FRANKLIN SYKES**  
Claimant

**APPEAL NO. 13A-UI-10197-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ENTELEE INC**  
Employer

**OC: 08/11/13**  
**Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant, Franklin Sykes, appealed an unemployment insurance decision dated August 29, 2013, reference 01, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on October 17, 2013. The parties were properly notified about the hearing. Mr. Sykes participated in the hearing. Tom Kuiper participated in the hearing on behalf of the employer with a witness, Mark Zalewski. Exhibit A was admitted into evidence at the hearing.

**ISSUE:**

Did Franklin Sykes voluntarily quit employment without good cause attributable to the employer?

**FINDINGS OF FACT:**

The employer, Entegeee Inc., is an engineering staffing company that provides employees to client businesses on a temporary or indefinite basis. Franklin Sykes worked full time on a contract assignment at Cobham Mission Systems as a reliability and maintainability safety engineer from July 12, 2012, to March 15, 2013.

Mr. Sykes quit employment effective March 15, 2013, because he believed his health problems were being aggravated by stressful conditions at work. He felt that work that he should have doing was being assigned to other employees and he was being slighted by management at Cobham Mission Systems. He had been under a doctor's care for his health problems and his doctor had recommended that he go on disability leave, a program available in California.

On February 28, 2013, Mr. Sykes submitted a resignation to a manager at Cobham Mission Systems stating that he was resigning from his employment effective March 15, 2013, because it was in the best interest of his health.

On March 11, 2013, Mr. Sykes emailed Mark Zalewski, Entegeee Inc., national recruiter, stating that the week of March 11 was going to be his last week of work and he was making preparations to return to California. Mr. Zalewski responded by email asking if Mr. Sykes had

found employment in California. He replied stating not yet but he was going to give it a hard look. Mr. Zaleski then asked whether he would consider staying on to allow Mr. Zalewski a chance to look for something in California for him, but Mr. Sykes replied that "LA is the place." Mr. Sykes never contacted Entegeee Inc. to inform Entegeee Inc., of his problems at Cobham Mission Systems or that he was resigning was due to a health condition aggravated by conditions at work. Continuing work was available to Mr. Sykes at Cobham Mission Systems when he resigned.

**REASONING AND CONCLUSIONS OF LAW:**

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1.

The unemployment insurance rules provide that a claimant is qualified to receive benefits if compelled to leave employment due to a medical condition attributable to the employment. The rules require a claimant: (1) to present competent evidence that conditions at work caused or aggravated the medical condition and made it impossible for the claimant to continue in employment due to a serious health danger and (2) to inform the employer before quitting of the work-related medical condition and that the claimant intends to quit unless the problem is corrected or condition is reasonably accommodated. 871 IAC 24.26(6)b.

Mr. Sykes has not satisfied the conditions for receiving benefits in the unemployment rule, 871 IAC 24.26(6)b. The claimant was employed by Entegeee Inc. He did not to inform the employer of any work-related medical condition, provide any medical documentation showing that working conditions had caused a serious health issue, or notify Entegeee Inc. that he intended to quit unless the problem was corrected or condition was reasonably accommodated. In fact, Entegeee Inc. offered to look for another job in California but he did not pursue this.

Mr. Sykes voluntarily quit employment without good cause attributable to the employer, Entegeee Inc.

**DECISION:**

The unemployment insurance decision dated August 29, 2013, reference 01, is affirmed. Franklin Sykes is disqualified from receiving unemployment insurance benefits until he has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/css