

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CHRISTIE A DONALDSON**  
Claimant

**APPEAL NO. 09A-UI-08489-A**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**GOLF HOLDINGS LC  
BEAVER CREEK GOLF CLUB**  
Employer

**OC: 04/26/09**  
**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Christie A. Donaldson filed a timely appeal from an unemployment insurance decision dated June 3, 2009, reference 01, that disqualified her for benefits. After due notice was issued, a hearing was held in Des Moines, Iowa on July 7, 2009 with Ms. Donaldson participating and presenting additional testimony by her daughter, Kara Donaldson. Co-owner Jeff Miller participated for the employer, Beaver Creek Golf Club. Exhibits A and B were admitted into evidence.

**ISSUE:**

Did the claimant leave work voluntarily without good cause attributable to the employer?

Was the claimant discharged for misconduct?

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having examined all of the evidence in the record, the administrative law judge finds: Christie A. Donaldson was employed by Beaver Creek Golf Club from September 8, 2001 until April 30, 2009. Until recently, Ms. Donaldson had been the manager of the food and beverage counter. On or about March 24, 2009 Ms. Donaldson told co-owner Jeff Miller that she would need to resign because of health issues. She told him that she planned to file a claim for disability through the Social Security Administration. Mr. Miller asked Ms. Donaldson to think about the situation before giving him her final decision. Two days later Ms. Donaldson reiterated that she would be leaving employment but that she would stay on board to help with the transition to a new manager.

By mid April a new manager was hired. On April 30, 2009 Mr. Miller notified Ms. Donaldson that her services were no longer needed.

## REASONING AND CONCLUSIONS OF LAW:

The first step in analyzing this case is to characterize the separation. Ms. Donaldson asserted that she had been discharged and that she had never intended to resign. The employer testified that Ms. Donaldson had stated that she would resign in order to file a claim for Social Security disability. The administrative law judge finds the testimony of Mr. Miller to be detailed, consistent and plausible. The administrative law judge concludes that the separation occurred as the direct result of Ms. Donaldson's statement that she would be leaving employment upon the hiring and training of her replacement. The separation is better characterized as a voluntary quit.

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 has the burden of proof. See Iowa Code section 96.6-2. The evidence persuades the administrative law judge that Ms. Donaldson left employment because of health-related reasons. Unemployment insurance benefits may be awarded to an individual under some circumstances following a resignation because of a medical condition caused or aggravated by working conditions. See Raffety v. Iowa Employment Security Commission, 76 N.W.2d 787 (Iowa 1956).

Before benefits may be awarded, however, the evidence must show that before resignation the individual put the employer on notice of the medical condition indicating that he or she would resign if certain accommodations were not met and then gave the employer a reasonable opportunity to meet those accommodations. See Suluki v. Employment Appeal Board, 503 N.W.2d 402 (Iowa 1993). The evidence in this case establishes that Ms. Donaldson did not indicate a willingness to remain employed until after the employer had accepted her resignation and had begun the process of hiring her replacement. Under these circumstances, benefits must be withheld.

## DECISION:

The unemployment insurance decision dated June 3, 2009, reference 01, is affirmed. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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