

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

PAMELA S ERLEWINE
Claimant

APPEAL NO. 13A-UI-11133-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

PRAIRIE MEADOWS RACETRACK
Employer

OC: 08/18/13
Claimant: Appellant (1)

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Pamela Erlewine, filed an appeal from a decision dated September 18, 2013, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on October 23, 2013. The claimant participated on her own behalf. The employer, Prairie Meadows, participated by Human Resources Generalist Pam Anderson.

ISSUE:

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

FINDINGS OF FACT:

Pamela Erlewine was employed by Prairie Meadows from December 11, 2012 until June 26, 2013 as a part-time table games dealer. Her last day of work was June 12, 2013, and she called in absent to work for the next two weeks. This was due to a pre-existing problem with her neck and pinched nerves which made it hard for her to perform her job duties as a dealer.

On June 26, 2013, she talked with Jim, who is the loss prevention manager, and said she would have to quit because she could not continue to work. She had not provided any medical information to the employer requesting accommodations nor did her doctor recommend she quit.

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 due to non-work-related medical reasons. Her physical condition was not caused by the work duties and she did not request accommodations from the employer or have a doctor's recommendation she quit. This does not constitute good cause attributable to the employer and the claimant is disqualified.

DECISION:

The representative's decision of September 18, 2013, reference 01, is affirmed. Pamela Erlewine is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount in insured work, provided she is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/css