

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CARA LOPEZ**  
Claimant

**APPEAL NO: 12A-UI-05793-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**FEDEX GROUND PACKAGE SYSTEM INC**  
Employer

**OC: 04/15/12**  
**Claimant: Appellant (1)**

Iowa Code § 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

Cara Lopez (claimant) appealed an unemployment insurance decision dated May 8, 2012, reference 02, which held that she was not eligible for unemployment insurance benefits because she voluntarily quit her employment with FedEx Ground Package System, Inc. (employer) without good cause attributable to the employer. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on June 12, 2012. The claimant participated in the hearing. The employer participated through Chris Demarque, Sort Manager. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

The issue is whether the claimant's voluntary separation from employment qualifies her to receive unemployment insurance benefits?

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was employed as a full-time package handler from May 9, 2008 through March 27, 2012 when she voluntarily quit for non-work-related medical reasons. She had taken a lot of leave under the Family Medical Leave Act (FMLA) and was going to need to take more time off work but did not want to put the employer through any more of that. Her doctor did not advise her to quit her employment. At the time the claimant left, she had not exhausted her available leave under FMLA.

**REASONING AND CONCLUSIONS OF LAW:**

The issue to be determined is whether the reasons for the claimant's separation from employment qualify her to receive unemployment insurance benefits. The claimant is not qualified to receive unemployment insurance benefits if she voluntarily quit without good cause attributable to the employer. Iowa Code § 96.5-1.

The claimant quit her employment on March 27, 2012 due to a non-work-related health condition. A voluntary quit based on illness is clearly disqualifying except upon the advice of a licensed and practicing physician. *Taylor v. Iowa Department of Job Service*, 362 N.W.2d 534 (Iowa 1985).

It is the claimant's burden to prove that the voluntary quit was for a good cause that would not disqualify her. Iowa Code § 96.6-2. She has not satisfied that burden. Benefits are denied.

**DECISION:**

The unemployment insurance decision dated May 8, 2012, reference 02, is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until she 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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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

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