

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

KATELYN C MACMILLAN
Claimant

JELD-WEN INC
Employer

APPEAL NO. 17A-UI-06893-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 01/15/17
Claimant: Appellant (1)

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated June 30, 2017, reference 02, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on July 25, 2017. Claimant participated. Employer participated by Cole Johnson and Mark Shaw. Employer did not participate as employer's witnesses did not answer the phone when called by the administrative law judge at the time of hearing.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on June 13, 2017. Claimant stated that it was very hot on that date and claimant was working on the production floor. Claimant was four months pregnant and had a high risk pregnancy. Claimant decided that it was not worth putting her pregnancy at risk by working at the job any longer and quit her position.

Claimant was hired to work on the production floor. Claimant was pregnant at the time of hire. On the date of June 13, 2017 employer told all employees to alert their supervisor if they were overheating. They also advised for employees to drink plenty of fluids.

Claimant stated that she felt light headed during work and couldn't keep hydrated. When she told this to her supervisor, the supervisor told her to drink lots of water and keep up with her work.

Claimant did not request any accommodation from her employer prior to her quitting work, nor did she provide any doctor's documentation stating that claimant's pregnancy was high risk and that there needed to be special accommodations.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 96.5-1 provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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 administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because the production floor was too hot for claimant while pregnant to continue work. Claimant did not ask human resources for special accommodations and did not provide any doctor's documentation stating specific actions employer should take to aid claimant. As these steps were not taken by claimant, claimant's quit, while understandable, was not with good cause attributable to employer.

DECISION:

The decision of the representative dated June 30, 2017, reference 02, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/scn