

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CONNIE M HARTMAN**  
Claimant

**APPEAL NO: 12A-UI-04233-DT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**DFS INC**  
Employer

**OC: 03/18/12**

**Claimant: Appellant (1)**

Section 96.5-1-d – Voluntary Leaving/Illness or Injury

**STATEMENT OF THE CASE:**

Connie M. Hartman (claimant) appealed a representative's April 9, 2012 decision (reference 01) that concluded she was not qualified to receive unemployment insurance benefits after a separation from employment from DFS, Inc. (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on May 7, 2012. The claimant participated in the hearing. Angie Jud appeared on the employer's behalf and presented testimony from one other witness, Matt McCord. During the hearing, Employer's Exhibits Seven and Eight were entered into evidence. 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:**

Did the claimant voluntary quit without good cause attributable to the employer?

**FINDINGS OF FACT:**

The claimant started working for the employer on August 23, 2011. She worked full time as a grain scale operator and lab assistant at the employer's animal feed mill. Her last day of work was March 15, 2012. She voluntarily quit on that date.

The claimant had been making complaints for some time that a coworker was not doing her share of work and that she needed assistance. On February 24, 2012 the employer had asked the claimant to itemize her work for a week so that the employer could identify where help might be needed, but the claimant only did the itemization for one day. After an incident of suffering chest pains at work on March 9, the claimant was taken to the hospital by ambulance; she was diagnosed as having had a hypertensive crisis event. The claimant was then off work through March 14, and the employer asked for a medical release indicating whether she was able to return to her duties or if there were any restrictions. The claimant returned to work on March 15 but did not provide a medical release.

When the claimant returned to work on March 15 she repeated her belief that she was overworked and that the resulting stress was causing her health problems. When the employer

continued to ask for a doctor's release or note with restrictions and asked her for the specifics of the work she was doing on a weekly basis, the claimant responded that the "b. s. was not worth my health," and left.

**REASONING AND CONCLUSIONS OF LAW:**

If the claimant voluntarily quit, she would not be eligible for unemployment insurance benefits unless it was for good cause attributable to the employer. Under some circumstances, a quit for medical or health reasons is attributable to the employer. Iowa Code § 96.5-1. Where factors and circumstances directly connected with the employment caused or aggravated an employee's illness, injury, allergy, or disease can be good cause for quitting attributable to the employer. 871 IAC 24.26(6)b. However, in order for this good cause to be found, prior to quitting the employee must present competent evidence showing adequate health reasons to justify ending the employment, and before quitting must have informed the employer of the work-related health problem and inform the employer that the employee intends to quit unless the problem is corrected or the employee is reasonably accommodated. 871 IAC 24.26(6)b.

The claimant has not presented competent evidence showing adequate health reasons to justify her quitting. Even assuming that there was work-related stress contributing to a medical condition which triggered the claimant's decision to leave, before quitting she did not provide the employer with the necessary information to allow the employer a reasonable opportunity to correct or reasonably accommodate the problem. Accordingly, the separation is without good cause attributable to the employer and benefits must be denied.

**DECISION:**

The representative's April 9, 2012 decision (reference 01) is affirmed. The claimant voluntarily left her employment without good cause attributable to the employer. As of March 15, 2012, benefits are withheld until such time as the claimant has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Lynette A. F. Donner  
Administrative Law Judge

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Decision Dated and Mailed

ld/pjs