

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

STEVE R SAWWELL
Claimant

APPEAL NO. 13A-UI-07884-MT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**L A LEASING INC
SEDONA GROUP**
Employer

**OC: 02/03/13
Claimant: Respondent (1)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Employer filed an appeal from a decision of a representative dated June 24, 2013, reference 05, which held claimant eligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on August 8, 2013. Claimant participated. Employer participated by Maria Mays, Risk Admin Assistant and Nathan Homb, Account Manager. Exhibit One was admitted into evidence.

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 May 10, 2013. Employer released claimant from the assignment May 13, 2013 because the client did not like the fact that claimant had a doctor's work restriction. The work restriction was imposed just a few days before the release. Claimant could perform the essential functions of the job notwithstanding the work restriction.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge holds that the evidence has established that claimant voluntarily quit for good cause attributable to employer when employer terminated the employment relationship because the client did not want claimant working with restrictions. This is a separation for good cause attributable to employer. Claimant presented sufficient credible evidence that he was forced out of his job due to medical restrictions. The temporal relationship of the doctor's restrictions weighs toward a finding that claimant was forced out by the client. Benefits allowed.

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.

DECISION:

The decision of the representative dated June 24, 2013, reference 05, is affirmed. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible.

Marlon Mormann
Administrative Law Judge

Decision Dated and Mailed

mdm/css