

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**KIMBERLY A BALTES**  
Claimant

**APPEAL NO. 11A-UI-13786-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**JACOBSON STAFFING COMPANY LC**  
Employer

**OC: 09/11/11**  
**Claimant: Appellant (2)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Kimberly A. Baltes filed a timely appeal from an unemployment insurance decision dated October 10, 2011, reference 03, that disqualified her for benefits. After due notice was issued, a telephone hearing was held November 14, 2011 with Ms. Baltes participating. Office Manager Kristen Moore participated for the employer, Jacobson Staffing Company.

**ISSUE:**

Did the claimant leave work with good cause attributable to the employer?

**FINDINGS OF FACT:**

Kimberly A. Baltes worked one day on assignment for Jacobson Staffing Company. The assigned was at Quality Products. The assignment required repetitive motions throughout the workday. Ms. Baltes had previously had carpal tunnel surgery. She expressed her concern to a representative from Jacobson Staffing Company that she might not be able to handle the work. After one day, Ms. Baltes' hands were sore and swollen. She advised Quality Products and Jacobson Staffing Company that she could not continue with the assignment. No further work was available for her.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the evidence establishes that the claimant left work with good cause attributable to the employer. It does.

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.

An individual may receive unemployment insurance benefits if the individual has resigned because of a medical condition caused or aggravated by working conditions. See Suluki v. Employment Appeal Board, 503 N.W.2d 402 (Iowa 1993). The evidence in the record persuades the administrative law judge that Ms. Baltes notified Jacobson Staffing Company when she accepted the assignment that she might not be able to perform the assigned tasks. It also establishes that she conferred with the employer and its client to let them know that she was leaving because of the swelling caused by the assignment. This evidence is sufficient to establish that the claimant has met the requirements established in the Suluki case. Benefits are allowed.

**DECISION:**

The unemployment insurance decision dated October 10, 2011, reference 03, is reversed. The claimant is entitled to receive unemployment insurance benefits, provided she is otherwise eligible..

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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