

**BEFORE THE
EMPLOYMENT APPEAL BOARD
Lucas State Office Building
Fourth floor
Des Moines, Iowa 50319**

COLLEEN K FREESE

Claimant,

and

L A LEASING INC

Employer.

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HEARING NUMBER: 14B-UI-06636

**EMPLOYMENT APPEAL BOARD
DECISION**

NOTICE

THIS DECISION BECOMES FINAL unless (1) a **request for a REHEARING** is filed with the Employment Appeal Board within **20 days** of the date of the Board's decision or, (2) a **PETITION TO DISTRICT COURT** IS FILED WITHIN **30 days** of the date of the Board's decision.

A **REHEARING REQUEST** shall state the specific grounds and relief sought. If the rehearing request is denied, a petition may be filed in **DISTRICT COURT** within **30 days** of the date of the denial.

SECTION: 96.5-1-D, 24.25-35

DECISION

UNEMPLOYMENT BENEFITS ARE DENIED

The Claimant appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds the administrative law judge's decision is correct. With the following modification, the administrative law judge's Findings of Fact and Reasoning and Conclusions of Law are adopted by the Board as its own. The administrative law judge's decision is **AFFIRMED** with the following **MODIFICATION**:

The Employment Appeal Board would modify the administrative law judge's Reasoning and Conclusions of Law by adding the following as supporting legal authority:

Even if this were a work-related injury, the Claimant failed to comply with the notice requirements set forth in *Cobb v. Employment Appeal Board*, 506 N.W.2d 445 (Iowa 1993). There, the court established three elements that are required for a quit to be found with good cause attributable to the Employer:

- 1) Claimant must notify the employer of the work-related health condition;
- 2) Claimant must inform the employer the claimant will quit if reasonable accommodation not provided;
- 3) And Claimant must give the employer reasonable amount of time to provide reasonable accommodation.

If any or all of these elements are missing, the quit is *without* good cause.

Kim D. Schmett

Ashley R. Koopmans

AMG/fnv