

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

GUADALUPE D GONZALEZ

Claimant

APPEAL NO. 13A-UI-12143-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

SARA LEE CORP

Employer

OC: 09/29/13

Claimant: Appellant (1)

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Guadalupe Gonzalez, filed an appeal from a decision dated October 24, 2013, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on November 20, 2013. The claimant participated on her own behalf and Noe Murillo acted as interpreter. The employer, Sara Lee, participated by Group Human Resources Manager Tim Steffen.

ISSUE:

The issue is whether the claimant quit work with good cause attributable to the employer.

FINDINGS OF FACT:

Guadalupe Gonzalez was employed by Sara Lee from September 30, 2008 until September 25, 2013 as a full-time production worker. She had been a vent gun worker for many years but due to restrictions imposed by her doctor due to pregnancy, could not continue to do that job. She was on leave beginning August 16, 2013, while the employer found a job within her restrictions.

She was offered the job as a breast trimmer which accommodated her restrictions and she accepted. She began in this new position on September 19, 2013. It was within her restrictions but she did not like working in the cold and her back hurt. She quit on September 26, 2013, without a recommendation from her doctor to do so or any updated restrictions provided to the employer.

REASONING AND CONCLUSIONS OF LAW:

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.

The claimant quit even though the employer found her a job within the restrictions imposed by her doctor. The restrictions were not due to a job-related condition and she did not have a recommendation from her doctor to quit. The record establishes the claimant quit without good cause attributable to the employer and she is disqualified from receiving benefits.

DECISION:

The representative's decision of October 24, 2013, reference 01, is affirmed. Guadalupe Gonzalez is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount in insured work, provided she is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/css