

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**LUANNA MYNATT**  
Claimant

**APPEAL NO: 12A-UI-02142-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WALGREEN CO**  
Employer

**OC: 01/22/12**  
**Claimant: Appellant (1)**

Iowa Code § 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

Luanna Mynatt (claimant) appealed an unemployment insurance decision dated February 24, 2012, reference 01, which held that she was not eligible for unemployment insurance benefits because she voluntarily quit her employment with Walgreen Company (employer) without good cause attributable to the employer. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on March 20, 2012. The claimant participated in the hearing. The employer participated through Ron Wilson, Store Manager. 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:**

The issue is whether the claimant's voluntary separation from employment qualifies her to receive unemployment insurance benefits?

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was hired on August 7, 2006 as a full-time assistant manager and she transferred to work with Store Manager Ron Wilson on February 10, 2010. She continued working until January 20, 2012 when she voluntarily quit without notice.

The claimant quit because she finally reached a stress level that she could no longer tolerate. She has fibromyalgia and testified that stress makes her conditions worse. The claimant said three doctors told her that she should get another job but she never provided the employer with any medical documentation. Likewise, she never actually advised the employer that she believed the stress from her job was causing medical problems.

The claimant did not feel the employer supported her as an assistant manager. There was an incident with an insubordinate employee and the claimant did not feel the employer handled it appropriately. The claimant did not think the employees would respect her when the employer did not back her as an assistant manager.

## REASONING AND CONCLUSIONS OF LAW:

The issue is whether the claimant's voluntary separation from employment qualifies her to receive unemployment insurance benefits.

Iowa Code § 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 her employment on January 20, 2012 without notice. She quit due to medical problems that were caused by job stress. Quits due to intolerable or detrimental working conditions are deemed to be for good cause attributable to the employer. See 871 IAC 24.26(4). The test is whether a reasonable person would have quit under the circumstances. See *Aalbers v. Iowa Department of Job Service*, 431 N.W.2d 330 (Iowa 1988) and *O'Brien v. Employment Appeal Bd.*, 494 N.W.2d 660 (1993). "Good cause" for leaving employment must be that which is reasonable to the average person, not to the overly sensitive individual or the claimant in particular. *Uniweld Products v. Industrial Relations Commission*, 277 So.2d 827 (Florida App. 1973).

The claimant may have been distressed over the work environment but she has not established that she was under any more stress than anyone else in that same position. Furthermore, she failed to present any medical evidence to support her claim that the employment was causing medical problems. An adequate record in a case involving a quit for medical reasons must include sufficient evidence from which it can be determined if the medical condition was caused or aggravated by working conditions. *White v. Employment Appeal Board*, 487 N.W.2d 342 (Iowa 1992).

More importantly though, the claimant failed to give the employer notice that she was going to quit due to these medical problems. Prior notification before a resignation for intolerable or detrimental working conditions is not required unless the quit is due to medical reasons. See *Hy-Vee v. EAB*, 710 N.W.2d (Iowa 2005). Inasmuch as the claimant did not give the employer an opportunity to resolve her complaints prior to leaving employment, the separation was without good cause attributable to the employer. Benefits are denied.

## DECISION:

The unemployment insurance decision dated February 24, 2012, reference 01, is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until she has worked in and has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

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