

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SHELLY L KERR
Claimant

APPEAL NO. 06A-UI-08942-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

GOOD SAMARITAN SOCIETY INC
Employer

OC: 08/06/06 R: 03
Claimant: Appellant (1)

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated August 25, 2006, reference 01, that concluded she voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on September 21, 2006. The parties were properly notified about the hearing. The claimant participated in the hearing. Ann Abolt participated in the hearing on behalf of the employer.

ISSUE:

Did the claimant voluntarily quit employment without good cause attributable to the employer?

FINDINGS OF FACT:

The claimant worked full-time for the employer as a certified nursing assistant and medication aide from November 12, 1996, to August 1, 2006. The claimant voluntarily quit employment without advance notice to the employer on August 1 after discovering that she had been removed from her shifts as a medication aide and was assigned to nursing assistant duties that she considered more physically demanding. She was taken off medication aide duties because she had pleaded guilty to possession of drug paraphernalia and the conviction was published in the newspaper. She believed that she was treated unfairly.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant voluntarily quit employment without good cause attributable to the employer.

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 voluntarily quit employment without good cause attributable to the employer. The employer acted reasonably in transferring her from the medication aide position after she was convicted of a drug-related crime.

DECISION:

The unemployment insurance decision dated August 25, 2006, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until she has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/cs