

The following day, the claimant's knee was painful and the claimant decided to quit his job as a result of his knee injury. The claimant called in and informed his supervisor that he was quitting to go back to school. This was not the real reason that the claimant quit. The claimant was not advised by a doctor to leave employment.

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 unemployment insurance law provides that individual is qualified to receive benefits if he: (1) left employment because of illness, injury or pregnancy with the advice of a licensed and practicing physician, (2) notified the employer that he needed to be absent because of the illness or injury, and (3) offered to return to work for the employer when recovery was certified by a licensed and practicing physician, but his regular work or comparable suitable work was not available. Iowa Code section 96.5-1-d.

The claimant left work due to a non-work-related medical problem. There is no evidence that the claimant's job caused or aggravated his knee injury. The claimant had not been advised to leave employment by a physician. As a result, the claimant has not satisfied the conditions for receiving unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated October 5, 2005, reference 05, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until he has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

saw/kjw