

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

TRACI DEEDS
Claimant

AUTOZONERS LLC
Employer

APPEAL NO. 21A-UI-16711-B2-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 05/02/21
Claimant: Appellant (2)**

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated July 21, 2021, reference 02, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on September 21, 2021. Claimant participated. Employer failed to respond to the hearing notice and did not participate.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on May 1, 2021. Claimant quit her job on that date after employer would not let claimant go home from work on May 1, 2021 as she was ill from a fall she'd had at work.

Claimant worked as a parts sales manager for employer. On April 28, 2021 claimant fell off a ladder at work and had a concussion and a hematoma on the back of her head. She went to the emergency room. Claimant was off from work after the fall for the next two days. She attempted to come back to work on May 1, 2021. Shortly after claimant arrived back to work, she told the manager that she felt nauseous and needed to leave. The manager stated that she could not leave because she didn't have a doctor's note and he had no other parts manager working.

Claimant continued to feel ill. She told employer that she was quitting as she wasn't allowed to leave. She left her keys and walked out.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.5(1) provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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 administrative law judge holds that the evidence has failed established that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because she was dizzy and nauseous after a fall from a ladder at work and her manager would not let her leave work. Employer knew of claimant's fall, knew that she went to the emergency room and had been off from work the next two days after the fall. For claimant to still feel ill three days after a concussion is certainly understandable. Employer's actions of not allowing claimant to go home when she requested to leave was what led to claimant's quit. Claimant quit for the good cause reason of not being able to leave work when she was ill. This was directly attributable to the manager's actions. Benefits are allowed.

DECISION:

The decision of the representative dated July 21, 2021, reference 02, is reversed. Unemployment insurance benefits are allowed provided claimant is otherwise eligible.



Blair A. Bennett
Administrative Law Judge

September 24, 2021
Decision Dated and Mailed

bab/ol