

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MELINDA M WARREN**  
Claimant

**APPEAL NO. 09A-UI-18839-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**REM IOWA COMMUNITY SERVICES INC**  
Employer

**Original Claim: 11/01/09  
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Melinda M. Warren filed a timely appeal from an unemployment insurance decision dated December 8, 2009, reference 02, that disqualified her for benefits. After due notice was issued, a telephone hearing was held January 5, 2010, with Ms. Warren participating. Program Coordinators Jeremy Gomez and Sara Vorwald participated for the employer, REM Iowa Community Services, Inc. Exhibits One and Two were admitted into evidence.

**ISSUE:**

Did the claimant leave work with good cause attributable to the employer?

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having examined all of the evidence in the record, the administrative law judge finds: Melinda M. Warren was employed by REM Iowa Community Services, Inc. from June 2007 until she resigned effective October 30, 2009. She worked as a unit coordinator. On September 25, 2009, Ms. Warren received a corrective action plan along with her evaluation. The corrective action plan was because Ms. Warren had written checks that overdrew the accounts of different clients over a period of several months. Ms. Warren resigned because she believed that while she shared the blame for these occurrences, she should not have received all of the blame. This caused great stress for Ms. Warren. Her therapists had suggested that she resign. She did not seek an accommodation from her employer because of the stress and she declined her supervisor's offer that she transfer to a less stressful but less well-paid position.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the evidence establishes that the claimant left with work with good cause attributable to the employer. It does not.

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.

An individual who resigns because of a reprimand or other disciplinary action leaves work without good cause attributable to the employer. See 871 IAC 24.25(28). Similarly, one who resigns because of a personality conflict with a supervisor leaves work without good cause attributable to the employer. See 871 IAC 24.25(22). Under some circumstances, an individual may receive benefits following a resignation due to a medical condition caused or aggravated by working conditions. See Suluki v. Employment Appeal Board, 503 N.W.2d 402 (Iowa 1993). However, as a condition to receiving benefits, the individual must have first brought the medical condition to the attention of the employer and given the employer a reasonable opportunity to find an accommodation. Ms. Warren did not do so.

Considering each of the reasons for the resignation and the totality of the circumstances, the administrative law judge concludes that the evidence does not establish good cause attributable to the employer. Benefits are withheld.

**DECISION:**

The unemployment insurance decision dated December 8, 2009, reference 02, is affirmed. Benefits are withheld until the claimant 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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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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