

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHERYL A JENSEN
Claimant

APPEAL NO. 08A-UI-02031-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

AGRI DRAIN CORP
Employer

**OC: 01/27/08 R: 01
Claimant: Appellant (1)**

Section 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

Cheryl Jensen filed an appeal from a representative's decision dated February 20, 2008, reference 01, which denied benefits based on her separation from Agri Drain Corporation. After due notice was issued, a hearing was held by telephone on March 13, 2008. Ms. Jensen participated personally. The employer participated by Kris Stringham, Human Resources, and Roger Richter, Property/Shipping Manager. Exhibit One was admitted on the employer's behalf.

ISSUE:

At issue in this matter is whether Ms. Jensen was separated from employment for any disqualifying reason.

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Jensen was employed by Agri Drain Corporation from July of 2005 until January 25, 2008. She gave two week's notice that she was quitting due to health issues. She had been told by her doctor in October or November of 2007 that it would be best to find different employment. She was suffering from anxiety attacks and elevated blood pressure. Ms. Jensen never told the employer that her doctor recommended other work or that her work was causing health issues. Continued work would have been available if she had not quit.

REASONING AND CONCLUSIONS OF LAW:

An individual who voluntarily quits employment is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). Ms. Jensen notified the employer that she was quitting due to health issues. However, she never put the employer on notice that her health issues stemmed from the employment. Therefore, she did not give the employer a reasonable opportunity to try to correct the problem that was causing her to quit. Because the employer was not given the opportunity to try to salvage the employment relationship, the administrative law judge concludes that Ms. Jensen's quit was not for good cause attributable to the employer.

The administrative law judge appreciates that Ms. Jensen's doctor suggested that she find other employment. However, the law requires that an individual put the employer on notice of any health issues related to the employment so that the employer can try to take corrective action. See Cobb v. Employment Appeal Board, 506 N.W.2d 445 (Iowa 1993). Ms. Jensen did not provide the required notice. For the reasons cited herein, the administrative law judge concludes that her separation was not for good cause attributable to the employer. Although she made reference to stress caused by interactions with a coworker, Ms. Jensen refused to provide additional facts concerning the relationship. Therefore, the administrative law judge cannot determine if the interactions provided good cause attributable to the employer for quitting.

DECISION:

The representative's decision dated February 20, 2008, reference 01, is hereby affirmed. Ms. Jensen voluntarily quit her employment for no good cause attributable to the employer. Benefits are withheld until such time as she has worked in and been paid wages for insured work equal to ten times her weekly job insurance benefit amount, provided she satisfies all other conditions of eligibility.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/css