

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**AJOK AKOI**  
Claimant

**APPEAL NO. 09A-UI-06902-H2**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TYSON FRESH MEATS INC**  
Employer

**OC: 04-05-09**  
**Claimant: Appellant (1)**

Iowa Code § 96.5(1) – Voluntary Leaving

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the May 1, 2009, reference 01, decision that denied benefits. After due notice was issued, a hearing was held on May 26, 2009 in Des Moines, Iowa. Claimant did participate through the interpretation of Chol Gai. Employer did not participate.

**ISSUE:**

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

**FINDINGS OF FACT:**

Having reviewed the testimony and all of the evidence in the record, the administrative law judge finds: Claimant was employed as a skinner and meat carver full time beginning in June 2008 through March 13, 2009 when she voluntarily quit her employment.

The claimant did not go to work on February 23 because she had a tooth ache. She stopped going to work on February 23 due to the tooth ache and sought treatment from a dentist on March 27, 2008. She was told that her health and dental insurance would not cover the “hole” in her tooth that needed to be either filled or pulled. She stopped calling the employer and reporting her absences because her health insurance would not pay to have her teeth fixed.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left the employment without good cause attributable to the employer.

Iowa Code § 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 has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code § 96.6(2).

An employer is not obligated to provide health or dental insurance and many do not provide that benefit for their employees. While those that do provide policies, the policy does not always pay all of the costs of needed treatment. The claimant's tooth problem was not caused by her work for employer. The claimant's decision to quit because neither her health nor dental insurance would pay to have her tooth fixed is not good cause attributable to the employer for quitting. Benefits are denied.

While claimant's decision to quit may have been based upon good personal reasons it was not a good-cause reason attributable to the employer for leaving the employment. Benefits must be denied.

**DECISION:**

The May 1, 2009, reference 01, decision is affirmed. The claimant voluntarily left her employment without 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 benefit amount, provided she is otherwise eligible.

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Teresa K. Hillary  
Administrative Law Judge

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Decision Dated and Mailed

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