

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JAMES SHIPLEY**  
Claimant

**APPEAL NO: 09A-UI-10158-ET**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**GRAHAM PACKAGING PLASTIC  
PRODUCTS INC**  
Employer

**OC: 05-17-09**  
**Claimant: Appellant (2)**

Section 96.5-1 – Voluntary Leaving

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the July 6, 2009, reference 01, decision that denied benefits. After due notice was issued, a hearing was held by telephone conference call before Administrative Law Judge Julie Elder on July 31, 2009. The claimant participated in the hearing. The employer participated through Barb Carter, Administrative Manager and Tom Pohren, Production Manager.

**ISSUE:**

The issue is whether the claimant voluntarily left his employment with good cause attributable to the employer.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed as a full-time manufacturing technician for Graham Packaging Plastic from August 18, 2008 to May 20, 2009 when he voluntarily quit. When he was hired, he was packing bottles half of the time and working as an operator the other half. However, when a new supervisor came in, the claimant was left packing bottles all the time and the other employee was allowed to operate all the time. He was able to pack but had difficulty on the faster lines because he was older. The claimant told the supervisor he could not keep up and even said they might as well fire him. When he was placed on the faster lines, it seemed like he stayed there for days. He could no longer do it and walked off the job.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left his employment with 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 claimant voluntarily quit May 20, 2009, when he walked off the job. It was physically difficult for him to pack bottles on the fast production lines and it seemed he was always placed on the fast lines. When he originally started, he only packed half the time and worked as an operator the rest of the time. The last couple of months, all he did was pack and he could no longer handle it physically. "Good cause" need not be based on fault or wrongdoing on the part of the employer, but may be attributable to the employment itself. Raffety v. Iowa Employment Security Commission, 76 N.W.2d 787 (Iowa 1956). It is the claimant's burden to prove that the voluntary quit was for a good cause that would not disqualify him. The claimant has satisfied that burden. Therefore, benefits are allowed.

**DECISION:**

The July 6, 2009, reference 01, decision is reversed. The claimant voluntarily left his employment with good cause attributable to the employer. Benefits are allowed, provided the claimant is otherwise eligible.

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Julie Elder  
Administrative Law Judge

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Decision Dated and Mailed

je/pjs