

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**SCOTT A VANIER**  
Claimant

**ARCONIC DAVENPORT LLC**  
Employer

**APPEAL 21A-UI-12380-CS-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 02/21/21  
Claimant: Appellant (1)**

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Iowa Code §96.5(2)a-Discharge/Misconduct  
Iowa Code §96.5(1)- Voluntary Quit

**STATEMENT OF THE CASE:**

On May 14, 2021, the claimant/appellant filed an appeal from the May 4, 2021, (reference 01) unemployment insurance decision that disallowed benefits based on claimant voluntarily quitting for personal reasons. The parties were properly notified about the hearing. A telephone hearing was held on July 26, 2021. Claimant participated at the hearing. Employer did not register a number to participate in the hearing prior to the hearing and therefore did not participate in the hearing. Claimant's Exhibit A was admitted into the record.

**ISSUE:**

Was the separation a voluntary quit with good cause attributable to the employer?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant began working for employer on September 28, 2020. Claimant last worked as a full-time Unit Supervisor. Claimant was separated from employment on February 3, 2021, when he submitted his verbal resignation.

Claimant began working for the employer and became stressed because he did not feel properly trained and because he did not have enough workers helping him complete the job. Claimant became stressed and began having high blood pressure. While he was working for the employer his blood pressure became extremely high and they told the claimant he could not work until his blood pressure returned to a normal level. Eventually the levels returned to a normal level and he was allowed to continue working.

On February 3, 2021, he was called into a meeting to discuss his job performance because they did not think he was doing his job. Claimant requested more workers to help him complete the job because he was getting overwhelmed with trying to complete all of his tasks. The employer refused to give him more workers to assist him so he could complete the job. The claimant asked to go home for the day so he could be refreshed and start again on Monday. The employer refused his request. Claimant submitted his resignation.

Claimant submitted a doctor's note for the hearing dated May 14, 2021, stating that he has "underlying health conditions that require ongoing medical treatment and that for his mental and physical well-being he should not be in a high stress work environment" (Exhibit A). This doctor's note is after the claimant's resignation that occurred on February 3, 2021.

### **REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes claimant's separation from the employment was without 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.

Iowa Admin. Code r. 871-24.25 (21) provides:

Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

- (21) The claimant left because of dissatisfaction with the work environment.

Claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code § 96.6(2). "Good cause" for leaving employment must be that which is reasonable to the average person, not the overly sensitive individual or the claimant in particular. *Uniweld Products v. Indus. Relations Comm'n*, 277 So.2d 827 (Fla. Dist. Ct. App. 1973). A voluntary leaving of employment requires an intention to terminate the employment relationship accompanied by an overt act of carrying out that intention. *Local Lodge #1426 v. Wilson Trailer*, 289 N.W.2d 608, 612 (Iowa 1980).

Claimant was experiencing health issues related to his blood pressure. Claimant testified he was becoming overwhelmed with all of his job duties and he had to quit for the sake of his health. The physician's note claimant submitted during the hearing (Exhibit A) did not support that it was related to his employment with the employer as the doctor's note was dated well after claimant had resigned his position with this employer. While claimant's leaving may have been based upon good personal reasons, it was not for a good-cause reason attributable to the employer according to Iowa law. Benefits are denied.

**DECISION:**

The May 4, 2021, (reference 01) unemployment insurance decision is affirmed. The claimant voluntarily left his employment without good cause attributable to the employer. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.



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Carly Smith  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau

August 2, 2021  
Decision Dated and Mailed

cs/mh

**NOTE TO CLAIMANT:**

- This decision determines you are not eligible for regular unemployment insurance benefits under state law. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision.