

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**GORDON ROLLINS**  
Claimant

**APPEAL NO: 17A-UI-06222-JE-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**GOODWILL INDUSTRIES  
OF THE HEARTLAND**  
Employer

**OC: 05/28/17**  
**Claimant: Respondent Appellant (2)**

Section 96.5-1 – Voluntary Leaving

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the June 16, 2017, reference 01, decision that denied benefits. After due notice was issued, a telephone hearing was held before Administrative Law Judge Julie Elder on July 5, 2017. The claimant participated in the hearing. Tina Brunson, Store Manager and Toni Markiewicz, Employer Representative, participated in the hearing on behalf of the employer. Employer's Exhibit One was admitted into evidence.

**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 production clerk for Goodwill Industries of the Heartland from October 23, 2006 to May 29, 2017. The claimant gave the employer a letter May 16, 2017, indicating he was retiring due to chronic medical conditions. He suffers from chronic osteoarthritis in both wrists and tendinopathy in his shoulders and stated his last day with the employer would be May 31, 2017.

The claimant made several light duty requests over approximately the last year of his employment and the employer accommodated those requests. Eventually the employer asked the claimant to complete FMLA paperwork and the claimant did so, asking for intermittent FMLA, which was granted. The employer also moved the claimant among tasks contained in his job description in an effort to accommodate his conditions. The claimant's physician made another request for accommodation following a light duty note stating the claimant could not lift more than 10 pounds through March 31, 2017. The employer accommodated the request and told the claimant it was open to suggestions from the claimant after March 31, 2017, but the claimant did not offer any suggestions on how the employer could further accommodate his medical conditions.

After the claimant submitted his resignation letter the employer mentioned to the claimant he did not provide any medical documentation for his leaving. On May 23, 2017, the claimant provided a letter from his physician noting his medical condition and stating he "is no longer able to do the job" (Employer's Exhibit One).

**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 § 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.

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. 871 IAC 24.25. Leaving because of unlawful, intolerable, or detrimental working conditions would be good cause. 871 IAC 24.26(3),(4). Leaving because of dissatisfaction with the work environment is not good cause. 871 IAC 24.25(1). The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code section 96.6-2.

A voluntary quit based on illness is clearly disqualifying except upon the advice of a licensed and practicing physician. *Taylor v. IDJS*, 362 N.W.2d 534 (Iowa 1985). The claimant provided the employer with a note from his doctor stating his chronic medical conditions caused him to "no longer be able to do the job." While the employer accommodated the claimant's medical conditions to the best of its ability, the fact that the claimant had a note from his physician indicating he could no longer perform his job is sufficient evidence to demonstrate that the claimant's leaving was for good cause. Therefore, benefits must be allowed.

**DECISION:**

The June 16, 2017, reference 01, decision is reversed. The claimant voluntarily left his employment with good cause. 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/scn