

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TAMMI S BLOCK**

Claimant

**APPEAL NO. 06A-UI-09431-MT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CARBOBODY PRODUCTS USA LLC**

Employer

**OC: 08/13/06 R: 01  
Claimant: Respondent (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Employer filed an appeal from a decision of a representative dated September 13, 2006, reference 01, which held claimant eligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on October 9, 2006. Claimant participated. Employer participated by Brenda Francisco, Plant Manager; Ken Morey, President; Lorri Koster, Fiberglass; Melanie Brewster, Fiberglass Supervisor; Patty Heyn, Office Manager; and Rob Heyn, Production Supervisor. Exhibits A and One were admitted into evidence.

**ISSUE:**

The issue in this matter is whether claimant quit for good cause attributable to employer.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on August 10, 2006. Claimant worked in the fiberglass department at the beginning of her employment. Claimant was taken from that job and ordered to Grinding or Body Shop. Claimant could not do these other jobs because of a medical condition that would worsen when using vibrating tools. Claimant informed employer that she could not do the other jobs because of her medical condition. Claimant would have significantly different duties at the Grinding and Body Shop jobs.

**REASONING AND CONCLUSIONS OF LAW:**

The administrative law judge holds that the evidence has established that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because of a change in job. The change in job duties initiated by employer is a significant change in the contract of hire. Claimant informed employer of her hand condition both before employment and before the transfer. Notwithstanding this knowledge employer changed the job responsibilities. The duties of the other offered jobs were significantly different. This is a change that constitutes good cause attributable to employer for a quit. Benefits allowed.

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.

871 IAC 24.26(1) provides:

Voluntary quit with good cause attributable to the employer and separations not considered to be voluntary quits. The following are reasons for a claimant leaving employment with good cause attributable to the employer:

(1) A change in the contract of hire. An employer's willful breach of contract of hire shall not be a disqualifiable issue. This would include any change that would jeopardize the worker's safety, health or morals. The change of contract of hire must be substantial in nature and could involve changes in working hours, shifts, remuneration, location of employment, drastic modification in type of work, etc. Minor changes in a worker's routine on the job would not constitute a change of contract of hire.

**DECISION:**

The decision of the representative dated September 13, 2006, reference 01, is affirmed. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible.

---

Marlon Mormann  
Administrative Law Judge

---

Decision Dated and Mailed

mdm/cs