

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RONNELL HUNTER
Claimant

APPEAL NO. 12A-UI-03493-WT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CRST VAN EXPEDITED INC
Employer

OC: 02/26/12
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

The claimant filed an appeal from a representative's decision dated March 30, 2012, reference 01, which held the claimant ineligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on July 16, 2012. The claimant participated. Employer participated by Sandy Matt, H.R. specialist. Exhibits A through I were admitted into evidence.

ISSUE:

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

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and having considered all of the evidence in the record, finds: Claimant was employed by employer as a full-time over-the-road truck driver from July 29, 2010 to October 29, 2011. Claimant took some time off for a non-work-related injury in late October 2011. On November 16, 2011, claimant sent a letter to his supervisor, Chris O'Shea. He listed the reason for quitting as medical issues for the non-work-related injury.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to the employer when claimant terminated the employment relationship because of his non-work related medical condition.

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 raised a number of other concerns regarding his employment. The claimant has failed to carry his burden of proof to demonstrate that his working conditions were, in any way, detrimental, intolerable, or illegal. Most importantly, these were not the reasons he stated that he quit on November 16, 2011.

DECISION:

The representative's decision dated March 30, 2012, reference 01, is affirmed. Unemployment insurance benefits are withheld until the claimant has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Joseph L. Walsh
Administrative Law Judge

Decision Dated and Mailed

jlw/kjw