

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**KEVIN P STANLEY**  
Claimant

**APPEAL NO. 10A-EUCU-00929-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**REMEDY INTELLIGENT STAFFING INC**  
Employer

**OC: 09/13/09**  
**Claimant: Appellant (2)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated September 28, 2010, reference 06, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on November 23, 2010. The parties were properly notified about the hearing. The claimant participated in the hearing. Wendy Mesenbrink participated in the hearing on behalf of the employer with a witness, Clint Martin. Exhibits One and Two were admitted into evidence at the hearing.

**ISSUE:**

Did the claimant voluntarily quit employment without good cause attributable to the employer?

**FINDINGS OF FACT:**

The employer is a staffing company that provides workers to client businesses on a temporary or indefinite basis. He worked on an assignment at CSC Company. He was told that the work expectation for the labeling job he was given was five pallets per day.

After he started working, CSC Company changed the work expectation to labeling seven to eight pallets per day. After a few days, the claimant developed problems with sciatic nerve pain radiating down his leg causing it to go down. When he went to the doctor, he was informed that he should avoid the twisting and turning required by the job. He informed the employer that he was not able to continue on the assignment due to his doctor's orders.

The employer's account is not presently chargeable for benefits paid to the claimant since it is not a base period employer on the claim.

**REASONING AND CONCLUSIONS OF LAW:**

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code section 96.5-1.

The claimant quit employment after his doctor informed him that he could no longer perform the work due to medical problems it was causing him. In addition, the client business was requiring production goals in excess of what he agreed to. Good cause for leaving employment attributable to the employer has been shown in this case.

The employer's account is not presently chargeable for benefits paid to the claimant since it is not a base period employer on the claim. If the employer becomes a base period employer in a future benefit year, its account may be chargeable for its proportional share of benefits paid to the claimant based on this separation from employment.

**DECISION:**

The unemployment insurance decision dated September 28, 2010, reference 06, is reversed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/pjs