

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RONALD E ANDERSON**  
Claimant

**APPEAL NO. 06A-UI-09604-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**UNITED PARCEL SERVICE**  
Employer

**OC: 08/27/06 R: 04  
Claimant: Appellant (2)**

Section 96.5(1) – Voluntary Quit

**STATEMENT OF THE CASE:**

Ronald Anderson filed an appeal from a representative's decision dated September 20, 2006, reference 01, which denied benefits based on his separation from United Parcel Service (UPS). After due notice was issued, a hearing was held by telephone on October 23, 2006. Mr. Anderson participated personally and offered additional testimony from Zeneta Jones. The employer did not respond to the notice of hearing.

**ISSUE:**

At issue in this matter is whether Mr. Anderson was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Anderson was employed by UPS from June 13, 2005 until August 27, 2006. He worked from 17 to 20 hours each week as a loader and unloader. In approximately May of 2006, he notified the employer that he was suffering from tendonitis due to overuse of his right hand. He made at least three attempts to file an accident report but was given conflicting information as to who would file it. Mr. Anderson provided the employer with a statement that he needed light-duty work because of his tendonitis. The employer does not have light-duty work available and he was never provided work that did not require repetitive motions. Mr. Anderson spoke with the employer's safety director but there was never any resolution to his problem.

Because he continued to experience pain in his wrist, Mr. Anderson quit the employment. The employer's failure to accommodate his tendonitis was the sole reason for the quit.

**REASONING AND CONCLUSIONS OF LAW:**

Mr. Anderson quit his employment. An individual who voluntarily quits employment is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). Mr. Anderson quit because of a medical condition

that was caused and/or aggravated by his work with UPS. He put the employer on notice of his tendonitis and his belief that it was work-related. He also notified the employer of the need for accommodation. The employer has not presented evidence to rebut Mr. Anderson's contentions regarding notice to the employer.

The administrative law judge concludes that remaining in his employment with UPS posed a risk to Mr. Anderson's health due to aggravation of his tendonitis. Given the employer's failure to accommodate his work-related condition, he had good cause attributable to the employer for quitting. Accordingly, benefits are allowed.

**DECISION:**

The representative's decision dated September 20, 2006, reference 01, is hereby reversed. Mr. Anderson quit his employment with UPS for good cause attributable to the employer. Benefits are allowed, provided he satisfies all other conditions of eligibility.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/cs