

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**KARON I ROETH**  
Claimant

**EXPRESS SERVICES INC**  
Employer

**APPEAL NO. 15A-UI-05359-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 03/15/15  
Claimant: Appellant (1)**

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Iowa Code § 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated May 1, 2015, reference 02, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on June 8, 2015. Claimant participated. Employer failed to respond to the hearing notice and did not participate.

**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 March 27, 2015. Claimant had started working for claimant's placement on a temp-to-hire basis for Hormel on March 24, 2015. Claimant's working eight-hour shifts caused great swelling and discomfort in her knees. Claimant told employer that she could not work shifts over eight hours, even though those long shifts were a requirement for the placement. Employer had no shifts available with just eight hours of work. Claimant sat home the weekend and attempted to get her legs healthier for the next week. As her legs weren't much better, claimant didn't return to her job. Claimant did contact her employer and explained that she wanted employment, but couldn't work manufacturing on her feet.

**REASONING AND CONCLUSIONS OF LAW:**

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.

The administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because she couldn't work extended shifts because of her knee problems. Employer placed claimant with a job that claimant agreed to work. Employer should not be held responsible for claimant's inability to work that job as claimant had not indicated to employer that she could not work in manufacturing when her preexisting knee condition kept her from being able to work on the manufacturing floor.

**DECISION:**

The decision of the representative dated May 1, 2015, reference 02, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

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Blair A. Bennett  
Administrative Law Judge

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Decision Dated and Mailed

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