



The Iowa Policy Project

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IPP Statement: Governor's comments bully concerned workers

IOWA CITY, Iowa (April 30, 2020) — The nonpartisan Iowa Policy Project (IPP) released the following statement from executive director Mike Owen about Governor Kim Reynolds' comments this week threatening unemployment insurance benefits for workers who decline to return to work in jobs where they feel unsafe due to working conditions during the COVID-19 pandemic.

“Rather than taking the high road to protect all Iowans put in jeopardy by the coronavirus pandemic that she herself advises Iowans to guard against, Governor Kim Reynolds is misrepresenting workers' legal protections during the health emergency she declared.

“A clear reading of the Iowa Administrative Code governing eligibility for unemployment insurance benefits establishes that the following are among ‘reasons for a claimant leaving employment with good cause attributable to the employer.’¹

- **A change in the contract of hire. ... This would include any change that would jeopardize the worker's safety, health or morals.**
- **The claimant left due to unsafe working conditions.**
- **The claimant left due to intolerable or detrimental working conditions.**

“Iowans do not need to be lawyers to understand those rules. The rules clearly protect workers who want to go back to work, but will find themselves in a new, dangerous situation in the workplace — our new world with the deadly spread of COVID-19.

“Instead, the Governor, in comments during televised news conferences that have brought fresh national attention to Iowa's poor treatment of workers, stated that an employee declining an offer to return to work is a ‘voluntary quit’ that makes them ineligible for unemployment benefits. As noted in the conditions above, this is not necessarily true in the case of an employee facing unsafe working conditions. Under Iowa law, Chapter 96.5(1), ‘good cause attributable to the individual's employer’ negates the disqualification for unemployment benefits for leaving work voluntarily. At the same time, she has repeatedly declined to take steps to enforce safety standards in businesses that she wants to reopen.

“The Governor's comments have the effect of bullying workers into work arrangements that they could never have expected. Her comments further send an intimidating message to administrative law judges outside the parameters of legal processes that have been established to set laws and the regulations designed to enforce them.

“Workers who feel they are being put in an unsafe situation by the COVID-19 pandemic should seek legal or other expert advice and not cast aside the rights they have under Iowa law just because the Governor goes to a microphone and says otherwise.”

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The Iowa Policy Project is a nonpartisan public policy research and analysis group in Iowa City.

¹ Iowa Administrative Code, <https://www.legis.iowa.gov/docs/iac/rule/10-11-2017.871.24.26.pdf>