

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MARY R BURKETT
Claimant

STONEMOR GP LLC
Employer

APPEAL NO: 09A-UI-14723-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 08/16/09
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit
Section 17A.12(3) – Default

STATEMENT OF THE CASE:

The claimant appealed a department decision dated September 24, 2009, reference 04, that held he voluntarily quit without good cause on May 10, 2009, and benefits are denied. A telephone hearing was scheduled for October 29, 2009. The claimant did not participate. The employer did not participate.

ISSUE:

Whether the claimant voluntarily quit employment with good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge having considered the evidence in the record, finds: The claimant failed to respond to the hearing notice and provide a telephone number to be contacted for the hearing. The claimant is defaulted for her failure to appear.

REASONING AND CONCLUSIONS OF LAW:

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 administrative law judge concludes the failure of the claimant to appear (respond to the hearing notice) for the hearing establishes that claimant voluntarily quit without good cause on May 10, 2009.

The claimant appealed the department decision, but failed to appear for the hearing to contest the voluntary quit. The claimant is defaulted pursuant to Iowa Code section 17A.12(3), and the department decision remains in force and effect.

DECISION:

The department decision dated September 24, 2009, reference 04, is affirmed. The claimant voluntarily quit without good cause on May 10, 2009. Benefits are denied until the claimant requalifies by working in and being paid wages for insured work equal to ten times her weekly benefit amount, provided the claimant is otherwise eligible.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

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