

ISSUE:

Did the claimant voluntarily quit his employment for reasons that qualify him to receive unemployment insurance benefits, or did the employer discharge him for work-connected misconduct?

FINDINGS OF FACT:

The claimant started working for the employer on November 3, 2004. The claimant worked as a full-time employee. On September 12 and 13, 2005, the claimant did not call or report to work. The employer gave the claimant a written warning on September 14 for failing to notify the employer he was unable to work as scheduled. The warning informed the claimant he must always contact his supervisor when he was unable to work or he could be discharged.

The claimant worked on September 21, 2005. The claimant did not report to work or contact the employer on September 22, 2005. The employer knew the claimant was expecting a child to be born at any time and assumed there were some complications. The claimant did not report to work or contact the employer on September 23, 26 or 27, 2005. The employer then sent the claimant a letter informing him the employer considered the claimant to have voluntarily quit because he had not called or reported to work since September 21, 2005. The claimant has not had any contact with the employer after September 21, 2005.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if he voluntarily quits employment without good cause or an employer discharges him for reasons constituting work-connected misconduct. Iowa Code §§ 96.5-1, 2-a. The claimant voluntarily quit his employment by abandoning it after September 21, 2005. When a claimant quits, he has the burden to establish he quit with good cause attributable to the employer. Iowa Code § 96.6-2.

The claimant may have compelling reasons for quitting or abandoning his job. The facts do not establish that he quit for reasons that qualify him to receive unemployment insurance benefits. Therefore, as of October 2, 2005, the claimant is not qualified to receive unemployment insurance benefits.

DECISION:

The representative's October 17, 2005 decision (reference 01) is reversed. The claimant voluntarily quit his employment. The claimant did not establish he quit for reasons that qualify him to receive unemployment insurance benefits. The claimant is disqualified from receiving unemployment insurance benefits as of October 2, 2005. This disqualification continues until he has been paid ten times his weekly benefit amount for insured work, provided he is otherwise eligible. The employer's account will not be charged.

dlw/kjw