

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**STACY L WALDING**  
Claimant

**APPEAL NO. 08A-UI-07249-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ALORICA**  
Employer

**OC: 06/22/08 R: 01**  
**Claimant: Respondent (2/R)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Alorica (employer) appealed a representative's July 31, 2008 decision (reference 01) that concluded Stacy L. Walding (claimant) was qualified to receive benefits, and the employer's account was subject to charge because the claimant's employment separation was for nondisqualifying reasons. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on August 25, 2008. The claimant failed to respond to the hearing notice by contacting the Appeals Section prior to the hearing and providing the phone number at which she could be contacted to participate in the hearing. As a result, no one represented the claimant. Jodi Heineman, a human resource generalist, appeared on the employer's behalf. Based on the evidence, the arguments of the employer, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

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

**FINDINGS OF FACT:**

The claimant started working for the employer on December 10, 2007. The employer hired the claimant to work as a full-time customer service agent.

Prior to January 10, 2008, the claimant's job was not in jeopardy. The claimant worked as scheduled on January 9, 2008. She did not report to work or notify the employer she was unable to work on January 10, 11 and 14.

The employer unsuccessfully attempted to contact the claimant by calling her phone number. When the claimant did not report to work or have any contact with the employer for three consecutive workdays, the employer ended the employment relationship at the end of the January 14 shift. The claimant did not contact the employer any time after January 9, 2008.

**REASONING AND CONCLUSIONS OF LAW:**

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause attributable to the employer, or an employer discharges her for reasons constituting work-connected misconduct. Iowa Code §§ 96.5-1, 2-a. The claimant's failure to contact the employer anytime after January 9, 2008, establishes that she quit her employment by abandoning it. When a claimant quits, she has the burden to establish she quit for reasons that qualify her to receive benefits. Iowa Code § 96.6-2.

The claimant may have compelling reasons for failing to return to work after January 9, 2008. Based on the evidence presented during the hearing, the claimant did not establish that she quit for reasons that qualify her to receive benefits. As of June 22, 2008, the claimant is not qualified to receive benefits.

**DECISION:**

The representative's July 31, 2008 decision (reference 01) is reversed. The claimant voluntarily quit her employment. The claimant did not establish that she quit for reasons that qualify her to receive benefits. The claimant is disqualified from receiving unemployment insurance benefits as of June 22, 2008. This disqualification continues until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible. The employer's account will not be charged. The issue of whether the claimant has been overpaid and is eligible for a waiver of any overpayment is remanded to the Claims Section to determine.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/css