

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**JUAN D HARRIS**

Claimant

**APPEAL 15A-UI-11262-CL-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**AGRI STAR MEAT & POULTRY LLC**

Employer

**OC: 10/5/14**

**Claimant: Appellant (1)**

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Iowa Code § 96.5(1) – Voluntary Quitting

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the October 2, 2015 (reference 02) unemployment insurance decision that denied benefits based upon misconduct. The parties were properly notified about the hearing. A telephone hearing was held on October 23, 2015. Claimant participated. Employer participated through payroll/human resource assistant Laura Roney.

**ISSUE:**

Was the claimant discharged for disqualifying job-related misconduct?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was employed full time as a band saw operator from September 3, 2013 and was separated from employment on August 13, 2015; when he voluntarily quit his employment.

Claimant was absent from work on August 4 and 5, 2015. On August 6, 2015, claimant called employer stating he had been in a bad accident. Claimant was absent from work that day. Claimant was also absent on August 10, 11, and 12, 2015. On August 13, 2015, claimant called payroll/human resource assistant Laura Roney to ask about his vacation pay. Roney asked claimant why he had not been coming into work. Claimant told Roney he had been in a bad car accident and there was a warrant out for his arrest. Claimant has since moved to Illinois and has not returned to work.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes claimant's separation from the employment was without good cause attributable to the employer.

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.

Claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code § 96.6(2). Here, claimant stopped reporting to work because there was a warrant out for his arrest. Although claimant denies this is true, I find Roney more credible than claimant. Claimant's separation from employment is considered a voluntary quit.

Claimant failed to meet his burden to show he quit because of a good cause reason attributable to employer.

**DECISION:**

The October 2, 2015 (reference 02) unemployment insurance decision is affirmed. Claimant voluntarily left the employment without good cause attributable to the employer. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

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Christine A. Louis  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

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Decision Dated and Mailed

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