



AMG/fnv

**DISSENTING OPINION OF MONIQUE F. KUESTER:**

I respectfully dissent from the majority decision of the Employment Appeal Board; I would reverse the decision of the administrative law judge. The claimant's failure to contact the employer beyond leaving messages was not prudent. The employer reasonably believed that the claimant abandoned his job when he failed to make personal contact with the employer over such an extended period of time. While I find it unfortunate that the claimant was dealing with many personal issues, I also conclude that the claimant's repeatedly failure to properly report his absences was a willful disregard of the employer's interests and constituted misconduct. As such, I would deny benefits.

---

Monique F. Kuester

AMG/fnv