

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

NATE H MICKELSON
Claimant

APPEAL NO. 12O-UI-15127-S2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**CARGILL MEAT SOLUTIONS
CORPORATION**
Employer

OC: 09/16/12
Claimant: Appellant (2)

Section 96.5-2-a – Discharge for Misconduct

STATEMENT OF THE CASE:

Nate Mickelson (claimant) appealed a representative's October 2, 2012 decision (reference 01) that concluded he was not eligible to receive unemployment insurance benefits because he was discharged from work with Cargill Meat Solutions (employer) for excessive unexcused absenteeism after having been warned. Administrative Law Judge Timberland issued a decision on November 1, 2012, reversing the representative's decision. A decision of remand was issued by the Employment Appeal Board on December 19, 2012. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for January 30, 2012. The claimant participated personally. The employer did not provide a telephone number for the hearing and, therefore, did not participate.

ISSUE:

The issue is whether the claimant was separated from employment for any disqualifying reason.

FINDINGS OF FACT:

The Finding of Fact of the administrative law judge in appeal 12A-UI-12062-JTT are adopted and incorporated herein as if set forth at length.

REASONING AND CONCLUSIONS OF LAW:

The Reasoning and Conclusions of Law of the administrative law judge in appeal 12A-UI-12062-JTT are adopted and incorporated herein as if set forth at length.

DECISION:

The representative's October 2, 2012 decision (reference 01) is reversed. The employer has not met its proof to establish job-related misconduct. Benefits are allowed.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/css