

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DAMIEN D TODD
Claimant

APPEAL NO. 11A-UI-02837-M2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

R & M METALS INC
Employer

OC: 12/19/10
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated March 2, 2011, reference 02, which held claimant ineligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on March 30, 2011. Employer participated by Debbie Thompkins, owner. Claimant failed to respond to the hearing notice and did not participate.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on July 16, 2010. The claimant then never reported back to work. Claimant may have left in part due other employment, but there are no wage records of this reported.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 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.

The claimant quit the employment for reasons that are not totally knowable from this record, since he did not participate in the hearing. He may have left for other employment, but there are no wage records on file. The quit was without good cause attributable to the employer, and the claimant has not established that it was for other employment that he actually worked in and was paid wages for.

DECISION:

The decision of the representative dated March 2, 2011, reference 02, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

Stan McElderry
Administrative Law Judge

Decision Dated and Mailed

srm/kjw