

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MOISES PLAZA**  
Claimant

**APPEAL NO. 13A-UI-06589-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ANNA ENTERPRISES**  
Employer

**OC: 05/05/13**  
**Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated May 29, 2013, reference 01, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on June 19, 2013. The parties were properly notified about the hearing. The claimant participated in the hearing. Michelle Rivers participated in the hearing on behalf of the employer.

**ISSUE:**

Did the claimant voluntarily quit employment without good cause attributable to the employer?

**FINDINGS OF FACT:**

The claimant worked full time for the employer on an assignment at Quality Manufacturing from March 17, 2012, to August 5, 2012. The claimant was informed and understood that under the employer's work rules, employees were required to notify the employer if they were not able to work as scheduled.

The claimant was arrested on August 5, 2012, because he violated the terms of his probation. He was required to serve eight months in jail. Neither the claimant nor anyone on his behalf contacted the employer to notify the employer regarding his situation so he was considered to have voluntarily quit. The claimant did not contact the employer after being released from jail.

**REASONING AND CONCLUSIONS OF LAW:**

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1.

The unemployment insurance rules provide that a claimant is deemed to have left employment without good cause if the claimant becomes incarcerated. 871 IAC 24.25(16). The claimant committed an act in violation of his probation that caused him to be unable to work. He did not contact the employer while he was in jail or afterward. He voluntarily quit employment without good cause attributable to the employer.

**DECISION:**

The unemployment insurance decision dated May 29, 2013, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until he has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/pjs