

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**WILLAMINA J WILSON**

Claimant

**APPEAL NO. 08A-UI-11151-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**FIVE STAR QUALITY CARE INC**

Employer

**OC: 10/12/08 R: 02  
Claimant: Respondent (2-R)**

Section 96.5(1) – Voluntary Quit

**STATEMENT OF THE CASE:**

Five Star Quality Care, Inc. filed an appeal from a representative's decision dated November 21, 2008, reference 02, which held that no disqualification would be imposed regarding Willamina Wilson's separation from employment. After due notice was issued, a hearing was held by telephone on December 15, 2008. The employer participated by Nancy Dzinic, Director of Nursing, and Rita Purscell, Staffing Coordinator. Exhibit One was admitted on the employer's behalf. Ms. Wilson did not respond to the notice of hearing.

**ISSUE:**

At issue in this matter is whether Ms. Wilson was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Wilson was employed by Five Star Quality Care, Inc. from March 4 until June 18, 2008 as a full-time certified nursing assistant. She did not report for work or contact the employer at any point after June 18. The employer attempted to contact her and left messages on June 20 and again on June 21. Ms. Wilson did not respond to the messages.

Ms. Wilson had not complained about any work-related matters prior to her separation. Continued work would have been available if she had continued reporting for work or had notified the employer of her intentions.

**REASONING AND CONCLUSIONS OF LAW:**

Ms. Wilson voluntarily quit when she abandoned her job. An individual who voluntarily quits employment is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). Ms. Wilson did not participate in the hearing to explain why she stopped reporting for available work. The evidence of record

does not establish any good cause attributable to the employer for the quit. As such, benefits are denied.

No overpayment results from this reversal of the prior allowance. Ms. Wilson has not been paid benefits on the claim filed effective October 12, 2008.

**DECISION:**

The representative's decision dated November 21, 2008, reference 02, is hereby reversed. Ms. Wilson quit her employment for no good cause attributable to the employer. Benefits are withheld until such time as she has worked in and been paid wages for insured work equal to ten times her weekly job insurance benefit amount, provided she satisfies all other conditions of eligibility.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/css