

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JESICKAH M BILLS
Claimant

APPEAL NO. 11A-UI-05496-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

WELLS FARGO BANK
Employer

**OC: 03/06/11
Claimant: Appellant (1)**

Section 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

Jesickah Bills filed an appeal from a representative's decision dated April 12, 2011, reference 03, which denied benefits based on her separation from Wells Fargo Bank. After due notice was issued, a hearing was held by telephone on May 19, 2011. The employer participated by Shelly Walters, Collections Manager, and was represented by John O'Fallon of Barnett Associates. Ms. Bills did not respond to the notice of hearing.

ISSUE:

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

FINDINGS OF FACT:

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Bills began working for Wells Fargo Bank on December 10, 2007 and last performed services on October 3, 2010. She was last employed full time as a collector. On October 4, 2010, she began a leave of absence under the Family and Medical Leave Act (FMLA) due to complications with her pregnancy. The leave was to expire on January 2, 2011.

Ms. Bills did not return to work at the expiration of her FMLA leave and did not notify the employer of her intentions. The employer made attempts to contact her but messages were not returned. The employer received an email from her on February 7, 2011 indicating she would not be returning to work. She did not specify her reasons for not returning. The employer had not taken any steps to terminate her employment in spite of the fact that there had been no communication since she began her leave in October.

REASONING AND CONCLUSIONS OF LAW:

An individual who leaves employment voluntarily is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code § 96.5(1). Ms. Bills did not indicate why she was quitting in her February 7 email to the employer. She did

not participate in the hearing to explain why she ended the employment. The evidence of record does not establish any good cause attributable to the employer for the separation. As such, benefits are denied.

DECISION:

The representative's decision dated April 12, 2011, reference 03, is hereby affirmed. Ms. Bills voluntarily quit her employment with Wells Fargo Bank without good cause attributable to the employer. Benefits are denied until she has worked in and been paid wages for insured work equal to ten times her weekly job insurance benefit amount, provided she is otherwise eligible.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/pjs