

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MATT C DREW
Claimant

APPEAL NO. 11A-UI-12940-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

WALGREEN CO
Employer

**OC: 08/14/11
Claimant: Respondent (2)**

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The employer appealed an unemployment insurance decision dated September 21, 2011, reference 02, that concluded the claimant's discharge was not for work-connected misconduct. A telephone hearing was held on October 25, 2011. The parties were properly notified about the hearing. The claimant failed to participate in the hearing. John Lipshaw 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 as a service court for the employer from September 22, 2010, to August 7, 2011. He worked 30 to 40 hours a week.

The claimant was scheduled to work at 9:00 a.m. on August 8. He called the store manager between 8:30 and 8:45 a.m. and told him that he had a job interview that morning. He told the manager that if he got the job that he was not coming to work and if he did not get the job he was going to be late. He had not made any arrangement to take time off that morning.

When the store manager asked the claimant if he was quitting, the claimant said no. The store manager replied: "so, that means you're reporting to work on time right." The claimant responded no. When the store manager asked if that meant he was quitting, the claimant replied yes. Continuing work was available to the claimant had he reported to work that day. He never reported to work or had any further contact with the employer regarding his job status.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer or who are discharged for work-connected misconduct. Iowa Code § 96.5-1 and 96.5-2-a. The evidence establishes that the claimant

voluntarily left employment because he had a job interview that took precedence over his job with the employer. Good cause attributable the employer for quitting has not been shown.

The claimant has not received unemployment insurance benefits since the effective date of his claim on August 14, 2011.

DECISION:

The unemployment insurance decision dated September 21, 2011, reference 02, is reversed. 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.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/css