

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MARGARET M BLOCK**  
Claimant

**APPEAL NO: 13A-UI-04474-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ABCM CORPORATION**  
Employer

**OC: 03/17/13  
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit  
871 IAC 24.25(4) – Job Abandonment  
871 IAC 24.25(21) – Dissatisfaction of the Work Environment

**STATEMENT OF THE CASE:**

The claimant appealed a department decision dated April 2, 2013, reference 01, that held she voluntarily quit employment without good cause on October 10, 2012, and benefits are denied. A telephone hearing was held on May 21, 2013. The claimant participated. Crystal Cole, Administrator, Cindy Eschen, D.O.N., and Diana Van Laningham, HR Coordinator, participated for the employer.

**ISSUE:**

The issue is whether the claimant voluntarily quit with good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge having heard the witness testimony and having considered the evidence in the record finds: The claimant began work on January 3, 2011 and last worked for the employer as a full-time C.N.A. on October 11, 2012. The claimant failed to call-in and report for scheduled work on October 12, 15, 18, 20 and 21. The employer policy is an individual who fails to report for work and notify the employer of an extended absence is subject to termination.

The employer sent claimant a certified termination letter dated October 22 for her extended absence period without report to the employer. She signed for the letter. Although claimant felt over-burdened with her work, she quit without notice to the employer.

**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.

871 IAC 24.25(4), (21) provides:

Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(4) The claimant was absent for three days without giving notice to employer in violation of company rule.

(21) The claimant left because of dissatisfaction with the work environment.

The administrative law judge concludes that the claimant voluntarily quit employment without good cause attributable to the employer on October 21, 2012 due to job dissatisfaction accompanied by job abandonment.

Although claimant had a good personal reason for quitting, she gave the employer no advance notice she was doing so and simply stopped showing up for work. Her quit is not attributable to the employer.

**DECISION:**

The department decision dated April 2, 2013, reference 01, is affirmed. The claimant voluntarily quit without good cause attributable to the employer on October 21, 2012. Benefits are denied until the claimant has worked in and is paid wages for insured work, equal to ten times her weekly benefit amount, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

rls/pjs