

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KANDIS K THURN
Claimant

APPEAL NO: 07A-UI-08439-LT

**ADMINISTRATIVE LAW JUDGE
DECISION**

RACHELLE L REID
JESUP VETERINARY CLINIC
Employer

OC: 07/29/07 R: 04
Claimant: Appellant (1)

Iowa Code § 96.5(2)a – Discharge/Misconduct

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the August 27, 2007, reference 01, decision that denied benefits. After due notice was issued, a telephone conference hearing was held on September 19, 2007. Claimant participated. Employer participated through Rachelle Reid.

ISSUE:

The issue is whether claimant was discharged for reasons related to job misconduct sufficient to warrant a denial of unemployment benefits.

FINDINGS OF FACT:

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: Claimant was employed as a part time veterinary assistant from November 16, 2004 until August 2, 2007 when she was discharged. She broke company policy by looking up another employee's hourly salary and telling others on July 31. Claimant admitted the conduct. Employer issued a prior warning in December 2006 after claimant complained about another person's salary and bonus. On June 30 employer issued another written warning for opening another employee's paycheck envelope and taping it closed.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant was discharged from employment due to job-related misconduct.

Ref. 14, 15

Generally, continued refusal to follow reasonable instructions constitutes misconduct. *Gilliam v. Atlantic Bottling Company*, 453 N.W.2d 230 (Iowa App. 1990).

Claimant's repeated violation of the employer's wage confidentiality policy is evidence willful misconduct. Benefits are denied.

DECISION:

The August 27, 2007, reference 01 decision is affirmed. The claimant was discharged from employment due to job-related misconduct. Benefits are withheld until such time as she has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible. Inasmuch as no benefits were claimed or paid, no overpayment applies.

Dévon M. Lewis
Administrative Law Judge

Decision Dated and Mailed

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