

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

HEATHER L COLLYNS
Claimant

APPEAL NO. 10A-UI-06247-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

ALORICA
Employer

OC: 03/14/10
Claimant: Appellant (1)

Section 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

Heather Collyns filed an appeal from a representative's decision dated April 19, 2010, reference 01, which denied benefits based on her separation from Alorica. After due notice was issued, a hearing was held by telephone on June 16, 2010. Ms. Collyns participated personally. The employer participated by Jodi Heineman, Human Resources Generalist

ISSUE:

At issue in this matter is whether Ms. Collyns 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. Collyns was employed by Alorica from September 22, 2009 until February 27, 2010 as a full-time customer service agent. She was presumed to have quit when she stopped reporting for available work with no notice to the employer. Her last day at work was either February 26 or 27. Ms. Collyns did not report for work thereafter because she heard from a coworker that she was on a list of people terminated for not reporting absences. She did not contact the employer to confirm her status.

The employer tracks attendance on a point system. It takes at least 15 points to reach termination stage. Ms. Collyns had three points at the time of separation. She did not have any prior absences that were not timely reported. A first "no call/no show" results in nine attendance points. Continued work would have been available for Ms. Collyns if she had continued reporting for work or had notified the employer of her intentions.

REASONING AND CONCLUSIONS OF LAW:

Ms. Collyns abandoned her job when she stopped reporting for work. Although a coworker told her she had been discharged, she did not confirm this fact with her employer. She was told the discharge was due to the fact that she failed to call to report an absence. She contended during the hearing that she did call on February 27 to report her intended absence. Given this

contention, one would have to wonder why she did not contact the employer to find out why she was being discharged for not reporting an absence when she had, in fact, reported it. Based on her failure to do so and her subsequent failure to report to work, the administrative law judge concludes that she intended to leave her employment. As such, her separation was a voluntary quit.

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 section 96.5(1). Having taken the position that she was discharged, Ms. Collyns did not offer any reason she would quit the employment. The evidence of record does not establish any cause attributable to the employer for the separation. Accordingly, benefits are denied.

DECISION:

The representative's decision dated April 19, 2010, reference 01, is hereby affirmed. Ms. Collyns voluntarily quit her employment with Alorica for no 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/css