

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**FADIL MUHAREMOVIC**  
Claimant

**APPEAL NO: 06A-UI-08677-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**BEEF PRODUCTS INC**  
Employer

**OC: 07/30/06 R: 03**  
**Claimant: Appellant (1)**

Section 96.5(2)a – Discharge for Misconduct

**STATEMENT OF THE CASE:**

Fadil Muharemovic filed an appeal from a representative's decision dated August 18, 2006, reference 01, which denied benefits based on his separation from Beef Products, Inc. (BPI). After due notice was issued, a hearing was held by telephone on September 14, 2006. Mr. Muharemovic participated personally. The employer participated by Rick Wood, Human Resources Manager, and Jennifer Stubbs, Human Resources Benefits Supervisor.

**ISSUE:**

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

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Muharemovic was employed by BPI from November 17, 2005 until July 28, 2006 as a full-time maintenance worker. On July 25, 2006, Mr. Muharemovic had a friend call the employer to say there was a family emergency. He had the friend tell the employer that Mr. Muharemovic's mother was having emergency surgery. As a result of the call, Mr. Muharemovic was allowed to leave work early.

Mr. Muharemovic was not scheduled to work on July 26. When he returned to work on July 27, he presented a doctor's statement purporting to verify the reason he left work early on July 25. The employer considered the document questionable because it contained two different handwritings. When confronted by the employer, Mr. Muharemovic acknowledged that he had used an old doctor's excuse he had on hand to create the excuse he presented on July 27. After he admitted falsifying the document, Mr. Muharemovic was discharged on July 28, 2006.

Mr. Muharemovic submitted a false document to the employer to avoid receiving attendance points for his partial absence of July 25. He did not believe he would have been allowed to have the time off if he had told the employer the true reason for leaving early. He left early on July 25 to assist his parents in the sale of their home because they do not speak English.

**REASONING AND CONCLUSIONS OF LAW:**

Mr. Muharemovic was discharged by BPI. An individual who was discharged from employment is disqualified from receiving job insurance benefits if the discharge was for misconduct. Iowa Code section 96.5(2)a. The employer had the burden of proving disqualifying misconduct. Cosper v. Iowa Department of Job Service, 321 N.W.2d 6 (Iowa 1982). Mr. Muharemovic was discharged for providing false information to the employer. The dishonesty began when he had a friend call the employer and provide false information that would allow him to leave work early. He compounded the dishonesty when he created a false doctor's statement to give the employer. The employer had the right to expect honesty from Mr. Muharemovic. He breached that obligation when he deliberately and intentionally provided false information to his employer.

Mr. Muharemovic's dishonesty constituted a substantial disregard of the standards the employer had the right to expect. It is concluded, therefore, that disqualifying misconduct has been established. Accordingly, benefits are denied.

**DECISION:**

The representative's decision dated August 18, 2006, reference 01, is hereby affirmed. Mr. Muharemovic was discharged by BPI for misconduct in connection with his employment. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly job insurance benefit amount, provided he satisfies all other conditions of eligibility.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/pjs