

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MIKE J HARFST
Claimant

ALLSTEEL INC
Employer

APPEAL NO: 13A-UI-08459-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 04/14/13
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit
871 IAC 24.25(4) – Job Abandonment

STATEMENT OF THE CASE:

The claimant appealed a department decision dated July 15, 2013 reference 02 that held he voluntarily quit without good cause attributable to his employer on June 25, 2013, and benefits are denied. A telephone hearing was held on August 26, 2013. The claimant did not participate. Doug Baker, HR Manager, Mike Rankins, Supervisor and Deniece Norman, Representative, participated for the employer. Employer Exhibits 1 & 2 were received as evidence.

ISSUE:

Whether the claimant voluntarily quit without 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 was hired August 1, 2012, and last worked for the employer as a full-time material handler on June 19, 2013. The claimant failed to report for scheduled work for June 20, 21 and 24. The employer policy is three days of no-call/no-show is a voluntary quit due to job abandonment.

Claimant was not available when called for the hearing at the number he provided.

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) 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.

The administrative law judge concludes the claimant voluntarily quit without good cause attributable to his employer due to job abandonment on June 25, 2013.

The claimant was a three-day no-call/no-show to work; that is a voluntary quit due to job abandonment.

DECISION:

The department decision dated July 15, 2013, reference 02, is affirmed. The claimant voluntarily quit without good cause due to job abandonment on June 25, 2013 when he failed to report for work. Benefits are denied until the claimant requalifies by working in and being paid wages for insured work equal to ten times his weekly benefit amount, provided the claimant is otherwise eligible.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/pjs