

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**BRYANT J CONNETT**  
Claimant

**APPEAL NO: 13A-UI-08817-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WELLS FARGO BANK NA**  
Employer

**OC: 06/23/13**  
**Claimant: Respondent (5)**

Section 96.5-2-a - Discharge

**STATEMENT OF THE CASE:**

The employer appealed a department decision dated July 24, 2013, reference 01, that held the claimant voluntarily quit with good cause attributable to the employer on June 24, 2013, and benefits are allowed. A telephone hearing was held on September 4, 2013. The claimant and employer did not participate.

**ISSUE:**

Whether claimant was discharged for misconduct in connection with employment.

**FINDINGS OF FACT:**

The administrative law judge having considered the evidence in the record finds: The claimant worked for the employer as a full-time utility clerk from May 8, 2008 to June 24, 2013. The site manager told claimant not to show back up for work.

**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 24.26(4) provides:

Voluntary quit with good cause attributable to the employer and separations not considered to be voluntary quits. The following are reasons for a claimant leaving employment with good cause attributable to the employer:

(4) The claimant left due to intolerable or detrimental working conditions.

The administrative law judge concludes the employer failed to establish claimant was discharged for misconduct on June 24, 2013. The employer failed to participate in this matter and present evidence of job disqualifying misconduct.

**DECISION:**

The department decision dated July 24, 2013, reference 01, is modified. The claimant was not discharged for misconduct on June 24, 2013. Benefits are allowed, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

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