

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**SHAWNA M WOLLER**  
Claimant

**CAPTIVE PLASTICS LLC**  
Employer

**APPEAL 21A-UI-19293-AD-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 07/19/20**  
**Claimant: Respondent (5R)**

Iowa Code § 96.5(1) – Voluntary Quitting  
Iowa Code § 96.5(2)a – Discharge for Misconduct

**STATEMENT OF THE CASE:**

On August 31, 2021, Captive Plastics, LLC (employer/respondent) filed an appeal from the August 25, 2021 (reference 01) unemployment insurance decision that allowed benefits based on a finding that claimant was discharged on February 10, 2021 without a showing of misconduct.

A telephone hearing was held on October 21, 2021. The parties were properly notified of the hearing. Employer participated by HR Manager Julie Ryan. Shawna Woller (claimant/respondent) did not register a number for the hearing or participate.

Official notice was taken of the administrative record.

**ISSUE(S):**

- I. Was the separation a layoff, discharge for misconduct, or voluntary quit without good cause?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds:

Claimant's first day of employment was November 10, 2003. Claimant is still employed as a full-time forklift operator. She filed a claim for benefits in the weeks ending July 25 and August 1, 2020. Claimant was on medical leave from February 11, 2021 until July 12, 2021. She returned at that time and has been employed there since. Claimant has not separated from employment.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons set forth below, the August 25, 2021 (reference 01) unemployment insurance decision that allowed benefits based on a finding that claimant was discharged on February 10, 2021 without a showing of misconduct is MODIFIED with no change in effect.

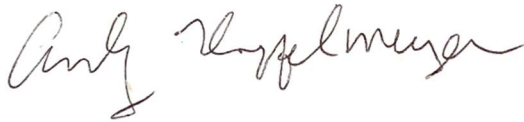
Claimant did not resign, she was not discharged, and she was not laid off due to a lack of work. There has therefore been no disqualifying separation from employment. Benefits are therefore allowed, provided claimant is not otherwise disqualified or ineligible. Notably, claimant did not file a weekly claim for benefits during or after the medical leave. Because there has not been a disqualifying separation, the other issues noticed need not be addressed.

**DECISION:**

The August 25, 2021 (reference 01) unemployment insurance decision that allowed benefits based on a finding that claimant was discharged on February 10, 2021 without a showing of misconduct is MODIFIED with no change in effect. There has not been a disqualifying separation from employment.

**REMAND:**

The issue of whether claimant was eligible for benefits in the weeks ending July 25 and August 1, 2020, is REMANDED for a fact-finding interview and decision.



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Andrew B. Duffelmeyer  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515) 478-3528

October 29, 2021  
Decision Dated and Mailed

abd/kmj