

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RONALDA SPEARS**  
Claimant

**APPEAL NO: 14A-UI-00858-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**GENESIS HEALTH SYSTEM**  
Employer

**OC: 12/29/13**  
**Claimant: Appellant (1)**

Iowa Code § 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

Ronalda Spears (claimant) appealed an unemployment insurance decision dated January 22, 2014, reference 01, which held that she was not eligible for unemployment insurance benefits because she voluntarily quit her employment with Genesis Health System (employer) without good cause attributable to the employer. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on February 13, 2014. The claimant participated in the hearing. The employer participated through Joanne July, Clinic Supervisor and Cindi Richardson, Human Resources Assistant. Employer's Exhibit One was admitted into evidence.

**ISSUE:**

The issue is whether the claimant's voluntary separation from employment qualifies her to receive unemployment insurance benefits.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was employed as a full-time receptionist from November 4, 2011, through January 2, 2014, when she voluntarily quit. She missed work December 23 and 24, 2013, due to illness but she sent text messages to Supervisor Joanne July notifying her of the absences. The claimant was a no-call/no-show on December 26 and 27, 2013. Ms. July sent the claimant two text messages on December 27, 2013, advising her to call work. The claimant later called Ms. July and admitted she received the text messages but did not call because she was sick. She told Ms. July it did not matter if she was fired and to "go ahead" and fire her.

Ms. July told the claimant she was going to have to talk to Steve, who was Ms. July's supervisor. The claimant did not like Ms. July's tone of voice during the telephone call and she believed that she was going to get fired since that what it meant to talk to Steve. The claimant was a no-call/no-show again on December 30 and 31, 2013. She did not have to work on January 1, 2014, because it was a holiday and she brought in her written resignation on January 2, 2014.

**REASONING AND CONCLUSIONS OF LAW:**

The issue is whether the claimant's voluntary separation from employment qualifies her to receive unemployment insurance benefits. She is not qualified to receive unemployment insurance benefits if she voluntarily quit without good cause attributable to the employer. Iowa Code § 96.5-1.

The claimant voluntarily quit on January 2, 2014, because she thought she was going to be fired. The employer had not taken any action to discharge the claimant and it does not appear the employer had even made a decision regarding the claimant's possible termination at the time the claimant quit.

It is the claimant's burden to prove that the voluntary quit was for a good cause that would not disqualify her. Iowa Code § 96.6-2. She has not satisfied that burden. Benefits are denied.

**DECISION:**

The unemployment insurance decision dated January 22, 2014, reference 01, is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until she has worked in and has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

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