

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

DEMARCUS A CASHAW
Claimant

PRK WILLIAMS INC
Employer

APPEAL NO. 17A-UI-09848-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 08/20/17
Claimant: Appellant (1)

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated September 21, 2017, reference 03, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on October 19, 2017. Claimant participated. Employer participated by Lori Bryant and Sierra Woodall.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on June 23, 2017. Claimant was injured outside of work on June 28, 2017. Claimant came by work on or near that date with a note that stated claimant was to be off of work until released to return to work by claimant's primary physician. Employer texted claimant on June 30, 2017, and claimant responded saying he was going back to his doctor on July 3, 2017. Employer asked claimant to bring in the doctor's report releasing him. Employer texted claimant on July 3, 2017 and claimant didn't respond. Employer texted again on July 6, 2017 and asked when claimant was returning. Claimant stated on Monday July 10, 2017. Employer reminded claimant that he needed to bring in the doctor's release with him.

Employer next tried to contact claimant on July 13, 2017 as claimant didn't show to work on Monday as he'd stated. Claimant didn't respond. Employer tried again on July 14, and July 17 to reach claimant, but claimant didn't respond.

On July 19, 2017, employer sent a note to claimant asking claimant to show for work by August 1, 2017 or he would be deemed to have quit. Claimant acknowledged receipt of this letter, but did not show for work or respond to his manager.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because he fell out of contact with employer and didn't show for work or bring a doctor's note explaining his absence.

Iowa Code § 96.5-1 provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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.

DECISION:

The decision of the representative dated September 21, 2017, reference 03, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/scn