

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TODD A REYNOLDS**

Claimant

**APPEAL NO. 08A-UI-00592-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ELECTROLUX HOME PRODUCTS INC**

Employer

**OC: 12/16/07 R: 01  
Claimant: Appellant (1)**

Section 96.5(2)a – Discharge for Misconduct

**STATEMENT OF THE CASE:**

Todd Reynolds filed an appeal from a representative's decision dated January 7, 2008, reference 01, which denied benefits based on his separation from Electrolux Home Products, Inc. (Electrolux). After due notice was issued, a hearing was held by telephone on February 4, 2008. Mr. Reynolds participated personally. The employer participated by Mallory Russell, Human Resources Generalist.

**ISSUE:**

At issue in this matter is whether Mr. Reynolds was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Reynolds was employed by Electrolux from May 25 until October 23, 2007 as a full-time operator. He was discharged for leaving work early without notifying anyone.

At all times material to this decision, Mr. Reynolds was scheduled to work from 6:30 a.m. until 3:00 p.m. On October 19, he left work at 10:44 a.m. but did not notify his supervisor that he was leaving. He was going to be suspended as a result of his failure. However, he again left work early without notice or permission on October 22 before there was an opportunity to suspend him. When he returned to work on October 23, he was discharged. Mr. Reynolds did not call the employer after he went home on either October 19 or October 22. He was aware of the employer's rule that prohibited him from leaving work during work hours without permission. The above matters were the sole reason for the discharge.

**REASONING AND CONCLUSIONS OF LAW:**

An individual who was discharged from employment is disqualified from receiving job insurance benefits if the discharge was for misconduct. Iowa Code section 96.5(2)a. The employer had the burden of proving disqualifying misconduct. Cosper v. Iowa Department of Job Service, 321

N.W.2d 6 (Iowa 1982). Mr. Reynolds was discharged after he left work on two occasions without notifying his supervisor or seeking permission from someone in a supervisory role. His contention that he called the employer once he got home was not credible. The confirmation numbers he cited during the hearing were not ones given to him. The employer's computer system assigns a different confirmation number to each employee who calls to report an absence. The numbers Mr. Reynolds cited during the hearing as proof that he called the employer were confirmation numbers that had been given to two different employees.

Mr. Reynolds knew or should have known that he could not simply walk off the job without notice. An employer is hampered in its ability to maintain production if employees are allowed to leave whenever they choose without notifying management. The fact that Mr. Reynolds may have been in pain did not justify him simply leaving work without checking with a supervisor. Even if he felt the work he was assigned was contrary to his medical restrictions, he was not justified in simply leaving.

Mr. Reynolds' conduct in walking off the job without notice or permission on two consecutive occasions constituted a substantial disregard of the standards he knew the employer expected of him. As such, he is not entitled to job insurance benefits.

**DECISION:**

The representative's decision dated January 7, 2008, reference 01, is hereby affirmed. Mr. Reynolds was discharged by Electrolux for misconduct in connection with his employment. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly job insurance benefit amount, provided he satisfies all other conditions of eligibility.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/kjw