

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JONATHAN D ETRINGER
Claimant

APPEAL NO. 09A-UI-06060-VST

**ADMINISTRATIVE LAW JUDGE
DECISION**

**SECURITAS SECURITY
SERVICES USA INC**
Employer

**Original Claim: 03/08/09
Claimant: Appellant (1)**

Section 96.5-1-Voluntary Quit

STATEMENT OF THE CASE:

The claimant, Jonathan D. Etringer, filed an appeal from a representative's decision dated April 16, 2009, reference 02, which held that the claimant was ineligible for unemployment insurance benefits because the claimant left his employment voluntarily on September 9, 2008 without good cause attributable to the employer. After due notice, a telephone conference hearing was scheduled for and held on May 12, 2009. The claimant did not call in and provide a telephone number where he could be reached for the hearing as required by the notice setting this case for hearing. The employer participated by Karen Cox, human resources manager for the employer. The employer was represented by Michael Thiele, who is an unemployment representative with TALX Employer Services.

ISSUE:

Whether the claimant voluntarily left his employment with good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and having considered all of the evidence in the record, makes the following findings of fact:

The claimant was hired by the employer on April 28, 2008. The employer provides security services to various clients. The claimant was assigned as a security office to Coe College in Cedar Rapids, Iowa. As part of his job duties, he would make rounds; issue parking tickets; and act as a liaison between students should conflicts arise.

The claimant's last day of work was September 10, 2008. On that date, he came to the college during the third shift. The employer provides round-the-clock security services. When the claimant came to the security office, no one was present, as the on duty officer was making rounds. The claimant left all of the equipment he had been issued, such as his utility belt, in the office. He did not leave any explanation on why he was quitting. He never contacted anyone from the employer to explain the circumstances of his leaving. He had numerous telephone

numbers he could have used, including the cellular phone number of the branch manager and the human resources manager. He has not contacted anyone at the employer since September 10, 2008.

REASONING AND CONCLUSIONS OF LAW:

A claimant who voluntarily leaves employment without good cause attributable to the employer is disqualified from receiving unemployment benefits. Iowa Code section 96.5-1. The claimant has the burden of proof in cases involving quits. Iowa Code section 96.6-2. In general, a voluntary quit requires evidence of an intention to sever the unemployment relationship and an overt act carrying out that intention. See Local Lodge #1426 v. Wilson Trailer, 289 N.W. 2d 608, 612 (Iowa 1980)

The evidence in this case shows that the claimant intended to terminate his employment and did so by leaving his issued equipment with the employer. He made no effort to explain his actions nor did he express any concerns to his employer about his job or working conditions. The claimant simply quit his job, and there is no evidence whatsoever to show that he did so for reasons that would qualify him for unemployment benefits. No benefits will be awarded.

DECISION:

The representative's decision dated April 16, 2009, reference 02, is affirmed. Unemployment insurance benefits shall be withheld until the claimant has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Vicki L. Seeck
Administrative Law Judge

Decision Dated and Mailed

vls/kjw