

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**BLAKE E SWANTON**  
Claimant

**APPEAL NO. 12A-UI-05639-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**BEEF PRODUCTS INC**  
Employer

**OC: 11/13/11**  
**Claimant: Respondent (2)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Beef Products, Inc. filed a timely appeal from an unemployment insurance decision dated May 3, 2012, reference 06, that allowed benefits to Blake E. Swanton. After due notice was issued, a telephone hearing was held July 10, 2012, with Human Resources Benefits Supervisor Jennifer Stubbs participating for the employer. Mr. Swanton did not provide a telephone number at which he could be contacted. The administrative law judge takes official notice of Agency benefit payment records.

**ISSUE:**

Was the claimant's separation from employment a disqualifying event?

**FINDINGS OF FACT:**

Blake E. Swanton was hired as a production worker by Beef Products, Inc. on November 21, 2011. The employment ended on March 2, 2012, because Mr. Swanton was absent without contact on February 28, March 1, and March 2. Company policy provides that three days' absence without contact is considered a voluntary quit. Mr. Swanton has received no benefits since this separation from employment.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5-1 provides:

An individual shall be disqualified for benefits:

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.

An individual is considered to have voluntarily left employment without good cause attributable to the employer if the individual was absent for three days without notice in violation of a company rule. The evidence in this record establishes that the claimant became unemployed under circumstances contemplated by this rule. Benefits are withheld.

**DECISION:**

The unemployment insurance decision dated May 3, 2012, reference 06, is reversed. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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