

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**BARBARA L TOWNSEND**  
Claimant

**APPEAL NO. 08A-UI-11542-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CASEY'S MARKETING COMPANY**  
Employer

**OC: 11/09/08 R: 02  
Claimant: Appellant (1)**

Section 96.5(1) – Quit

**STATEMENT OF THE CASE:**

The claimant, Barbara Townsend, filed an appeal from a decision dated December 5, 2008, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on December 23, 2008. The claimant participated on her own behalf. The employer, Casey's, participated by Area Supervisor Millie Vroegh.

**ISSUE:**

The issue is whether the claimant quit work with good cause attributable to the employer.

**FINDINGS OF FACT:**

Barbara Townsend was employed by Casey's from March 9, 2007 until September 20, 2008 as a full-time pizza maker and cashier. Her work was generally good but her attendance was not. She would frequently call in shortly before her shift was to start saying she could not come in to work because she had to care for her grandchild and other personal business.

Store Manager Kelly Ableman told the claimant she was off the schedule until she met with her and Area Supervisor Mille Vroegh. A meeting was set up for noon on Friday, September 19, 2008, to discuss the problem. A written warning was prepared to issue to her at that meeting, but she was no-call/no-show. The claimant did not contact the employer again until sometime in November 2008 and asked if she could have her job back. She acknowledged she assumed she had been fired for not coming in to work but no ever told her she was fired, only that she was not on the schedule until she met with the store manager and area supervisor.

**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.

The record establishes the claimant was only going to be given a written warning on September 19, 2008, because of her attendance. She was not going to be fired but she elected not to come to the meeting and did not contact the manager to reschedule it. Continuing work was still available to her had she elected to meet with the employer as required. This is a voluntary quit without good cause attributable to the employer and the claimant is disqualified.

**DECISION:**

The representative's decision of December 5, 2008, reference 01, is affirmed. Barbara Townsend is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount, provided she is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/css