

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**BRIDGET L KEOSTER**

Claimant

**REBOUND 800 LOCUST LLC**

Employer

**APPEAL NO: 14A-UI-06059-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 05/11/14**

**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit  
871 IAC 24.25(4) – Job Abandonment

**STATEMENT OF THE CASE:**

The claimant appealed a department decision dated May 29, 2014, reference 01, that held she voluntarily quit without good cause on May 8, 2014, and benefits are denied. A telephone hearing was held on July 7, 2014. The claimant participated. Carl Deenken, GM, participated for the employer.

**ISSUE:**

Whether the claimant voluntarily quit with good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge having heard the witness testimony and having considered the evidence in the record finds: The claimant worked a full-time front desk job for the employer from December 2, 2013 to May 1, 2014. On May 2 claimant was upset the employer was hiring a new person when she was hoping to get a schedule change, and other issues with the GM. She was given permission to leave work and take off Friday May 2.

Claimant had a telephone conversation with the GM on Saturday May 3 about some workplace issues. The GM had made comments about claimant's clothing and appearance. Since the GM was off work, he asked claimant to contact him on Monday, May 5. Claimant made some calls but did not reach the GM.

Claimant failed to return to work May 6, 7, 8, and 9. The employer considered she voluntarily quit due to job abandonment. Claimant stated during the hearing she would be willing to return to employment given some objections she had about the GM.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code § 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.

Iowa Admin. Code r. 871-24.25(4) provides:

Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(4) The claimant was absent for three days without giving notice to employer in violation of company rule.

The administrative law judge concludes claimant voluntarily without good cause attributable to the employer on May 6, 2014 due to job abandonment.

Claimant had some issues with the GM about her appearance and professional conduct but her decision not to return to work is a voluntary quit due to job abandonment. The GM said nothing to claimant she was terminated and he made a reasonable request on Saturday for her to contact him on Monday. Claimant's choice not to return to work is a quit without good cause.

**DECISION:**

The department decision dated May 29, 2014, reference 01, is affirmed. The claimant voluntarily quit without good cause on May 6, 2014. Benefits are denied until the claimant requalifies by working in and being paid wages for insured work equal to ten times her weekly benefit amount, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

rls/pjs