

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ANTHONY P SCHLEISMAN**  
Claimant

**APPEAL NO. 11O-UI-07346-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**GRAPETREE MEDICAL STAFFING INC**  
Employer

**OC: 11/28/10  
Claimant: Appellant (1)**

Section 96.5(2)a – Discharge

**STATEMENT OF THE CASE:**

The claimant, Anthony Schleisman, filed an appeal from a decision dated December 28, 2010, reference 01. The decision disqualified him from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on February 16, 2011 and concluded on March 9, 2011. The claimant participated on his own behalf and with witness JoDonn Shaver. The employer, Grapetree Medical Staffing, Inc. (Grapetree), participated by CEO Tim Kinnetz, Human Resources Generalist Janine Kinnetz, Director of Operations Kelly Seymour, and Registered Nurses Polly Young and Laura Scott. Exhibits One, Two, Three, Four Five, and Six were admitted into the record.

The Employment Appeal Board remanded the case for the limited purpose of admitting the written statement of Laura Scott into the record and cross-examining her about it. That hearing was held November 15, 2011. At that hearing the claimant was present and represented by Mark Carpenter. Exhibit A was admitted into the record. Present on behalf of the employer were CEO Tim Kinnetz, Human Resources Generalist Janine Kinnetz, Director of Operations Kelly Seymour.

**ISSUE:**

The issue is whether the claimant was discharged for misconduct sufficient to warrant a denial of unemployment benefits.

**FINDINGS OF FACT:**

The Findings of Fact in appeal 11A-UI-00311-HT are hereby adopted as though set out here in full.

The contents of Exhibit A and the cross-examination of Ms. Scott did not add anything to the record as far as the exact events leading to the claimant's discharge. The written statement signed by Ms. Scott was prepared by another individual and signed by Ms. Scott, but she stated it was a "condensed" version of the events she was reporting. Her sworn testimony at the February 16, 2011, hearing was much more exact and detailed and the claimant did cross-examine her about those statements at the time.

**REASONING AND CONCLUSIONS OF LAW:**

The Reasoning and Conclusions of law in appeal 11A-UI-00311-HT are hereby adopted as though set out here in full.

The addition of Ms. Scott's written statement did not add substantially to the information about the claimant's discharge. The administrative law judge finds Ms. Scott's sworn testimony to be more reliable and detailed. There were no contradictions between the written statement and the sworn testimony, only more detail in the sworn testimony. There was some slight disagreement as to the number of times the claimant "slammed down the phone" but this is not sufficient to impugn Ms. Scott's overall credibility in her account of the incident.

**DECISION:**

The representative's decision of December 28, 2010, reference 01, is affirmed. Anthony Schleisman is disqualified and benefits are withheld until he has earned ten times his weekly benefit amount, provided he is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/pjs