

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**SIERRA A MARTIN**  
Claimant

**MURPHY OIL USA INC**  
Employer

**APPEAL NO. 14A-UI-11065-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 08/31/14**  
**Claimant: Respondent (2)**

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871 IAC 23.43(9) – Combined Wage Claim Relief of Charges  
Iowa Code § 96.7(2)a – Employer Liability

**STATEMENT OF THE CASE:**

Murphy Oil USA, Inc. (employer) appealed an unemployment insurance decision dated October 15, 2014 (reference 01) which held that Sierra Martin (claimant) was eligible for unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on November 13, 2014. The claimant did not comply with the hearing notice instructions and did not call in to provide a telephone number at which she could be contacted and, therefore, did not participate. The employer participated through District Manager Dennis Furlong. Employer's Exhibit One was admitted into evidence.

**ISSUE:**

The issue is whether the employer's account is subject to charge for benefits paid to the claimant on a combined wage claim.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant worked as a part-time cashier from September 2, 2013 through February 12, 2014 when her employment ended due to job abandonment. She called off a half hour before her shift began on February 9, 2014 and was a no-call/no-show on February 11, 2014. The claimant never called or returned to work after that. .

**REASONING AND CONCLUSIONS OF LAW:**

An Iowa employer whose wage credits have been transferred and who has potential liability will be notified on Form 65-5522, Notice of Wage Transfer, that the wages have been transferred, the state to which they have been transferred, and the mailing address to which a protest of potential charges may be mailed. This protest must be postmarked or received by the department within ten days of the date the Form 65-5522 was mailed to be considered as a timely protest of charges. If the protest from either the reimbursable or contributory employer justifies relief of charges, charges shall go to the balancing account. 871 IAC 23.43(9)b.

Since the employer timely protested charges to its account, an employer's account can be relieved from charge if the claimant voluntarily quits without good cause attributable to the employer or an employer discharges the claimant for work-connected misconduct. Iowa Code § 96.7(2)a.

The evidence establishes the claimant voluntarily quit by failing to call or return to work after February 9, 2014. While the claimant may have had personal reasons for quitting, the facts establish she quit without good cause attributable to the employer. The employer's account is not subject to charge.

**DECISION:**

The unemployment insurance decision dated October 15, 2014 (reference 01) is reversed. The employer established the claimant's separation was disqualifying. Its account is not subject to charge for benefits the claimant may receive in another state.

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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

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