

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**DONNA JO PLEIMA**  
Claimant

**APPEAL NO. 14A-UI-11314-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**PELLA CORPORATION**  
Employer

**OC: 10/05/14**  
**Claimant: Appellant (1)**

Iowa Code § 96.5(2)(a) – Discharge for Misconduct

**STATEMENT OF THE CASE:**

Donna Jo Pleima (claimant) appealed an unemployment insurance decision dated October 23, 2014 (reference 01) which held that she was not eligible for unemployment insurance benefits because she was discharged from Pella Corporation (employer) for work-related misconduct. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on November 19, 2014. The claimant participated in the hearing. The employer participated through Carrie Oltman, Human Resources Business Partner.

**ISSUE:**

The issue is whether the claimant was discharged for work-related misconduct.

**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 full-time contact center associate from April 1, 2013 through October 8, 2014 when she was terminated for falsifying her time records. Employees enter their own time records on a computer time program but the time they scan their cards to enter the building and the time they actually log on to their computers are independently recorded into the computer system. The employer became aware of an allegation that the claimant's time cards were not supported by the times she entered the building and actually logged on to her computer. An investigation was conducted into the claimant's time records and the following discrepancies in her start times were discovered:

<u>Date</u>	<u>Time reported</u>	<u>Entrance time</u>	<u>Log-on time</u>
09/29/14	7:45 a.m.	7:51 a.m.	7:58 p.m.
09/30/14	8:00 a.m.	8:05 a.m.	8:06 p.m.
10/01/14	7:45 a.m.	7:55 a.m.	7:56 p.m.
10/02/14	7:50 a.m.	7:55 a.m.	7:56 p.m.
10/03/14	7:45 a.m.	7:54 a.m.	7:55 p.m.

**REASONING AND CONCLUSIONS OF LAW:**

The issue is whether the employer discharged the claimant for work-connected misconduct. A claimant is not qualified to receive unemployment insurance benefits if an employer has discharged the claimant for reasons constituting work-connected misconduct. Iowa Code § 96.5-2-a. Misconduct is defined as a deliberate act or omission by a worker which constitutes a material breach of the duties and obligations arising out of such worker's contract of employment. 871 IAC 24.32(1).

Misconduct that disqualifies an individual from receiving unemployment insurance benefits occurs when there are deliberate acts or omissions that constitute a material breach of the worker's duties and obligations to the employer. See 871 IAC 24.32(1). The claimant was discharged on October 6, 2014 for time card falsification. One of the most fundamental duties owed to an employer is honesty. An employer can reasonably expect that an employee will work the hours reported on a time card and that time cards will not be falsified.

The greater weight of the evidence in this case confirms the claimant falsified her time cards on five consecutive work days. A single wrong entry might be excused as an honest mistake but the pattern here is one of deliberate falsification. The employer has met its burden and work-connected misconduct as defined by the unemployment insurance law has been established. Benefits are denied.

**DECISION:**

The unemployment insurance decision dated October 23, 2014 (reference 01) is affirmed. The claimant is not eligible to receive unemployment insurance benefits because she was discharged from work for misconduct. Benefits are withheld until she has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

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