

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**PAMELA J JACOBSEN**  
Claimant

**APPEAL NO: 12A-UI-03074-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**GOOD SAMARITAN SOCIETY**  
Employer

**OC: 02/05/12**  
**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 March 19, 2012, reference 01, that held she voluntarily quit without good cause attributable to her employer on February 10, 2012, and which denied benefits. A telephone hearing was held on April 10, 2012. The claimant did not participate. Karen Mousel, administrator, and Connie Schachterle, HR director, participated for the employer. Employer Exhibits 1 through 4 were received as evidence.

**ISSUE:**

Whether the claimant voluntarily quit without good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony of the witnesses and having considered the evidence in the record, finds: The claimant worked for the employer as a full-time cook from August 28, 2008 to February 10, 2012. The employer met with claimant on her last day to discuss a new breakfast routine for residents. After the meeting, the employer learned claimant had left work prior to the end of her shift. The HR Director called and left a message for claimant about whether she intended to return to work. Claimant did not respond to the message nor did she report back to work.

Claimant failed to respond to the hearing notice.

**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.

871 IAC 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 the claimant voluntarily quit without good cause attributable to her employer due to job abandonment on February 10, 2012.

The claimant failed to participate in this hearing and offer testimony why she left employment during her work, shift, failed to respond to the employer message, and failed to return to work.

**DECISION:**

The department decision dated March 19, 2012, reference 01, is affirmed. The claimant voluntarily quit without good cause due to job abandonment on February 10, 2012. 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/kjw