

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**HOPE HUGHES**

Claimant

**APPEAL NO. 17A-UI-10766-S1-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**KRAFT HEINZ FOODS COMPANY**

Employer

**OC: 10/01/07**

**Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

Hope Hughes (claimant) appealed a representative's October 19, 2017, decision (reference 01) that concluded she was not eligible to receive unemployment insurance benefits because she voluntarily quit work with Kraft Heinz Foods Company (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for November 8, 2017. The claimant participated personally. The employer participated by Amy Matlick, Human Resources Generalist.

**ISSUE:**

The issue is whether the claimant was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was hired on August 7, 2017, as a full-time overnight production worker. She had Saturday/Sunday as her day off. The claimant signed for receipt of the employer's handbook and its attendance policy on August 7, 2017. The policy states that two or more absences without notice to the employer is job abandonment. On September 18, 2017, the claimant transferred to the sanitation department and kept Saturday/Sunday as her day off.

On September 23, 2017, the claimant received news that her nephew was shot and the employer allowed her to leave work early. The employer told her she could take time off work for the situation. The claimant properly reported her absences from work each day through September 27, 2017. On September 28, 2017, the claimant did not report her absence and did not appear for work. On October 1, 2017, the claimant properly reported her absence from work. After October 1, 2017, the claimant did not appear for work or contact the employer. On October 5, 2017, the employer sent the claimant a separation letter. The claimant was absent without report on September 28, October 2, 3, and 4, 2017. Continued work was available had the claimant not resigned.

## REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow the administrative law judge concludes the claimant voluntarily quit work without good cause attributable to the employer.

Iowa Code section 96.5(1) provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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.

A voluntary leaving of employment requires an intention to terminate the employment relationship accompanied by an overt act of carrying out that intention. *Local Lodge #1426 v. Wilson Trailer*, 289 N.W.2d 608, 612 (Iowa 1980). The claimant's intention to voluntarily leave work was evidenced by the claimant's actions. The claimant stopped appearing for work and reporting her absences. There was no evidence presented at the hearing of good cause attributable to the employer. The claimant voluntarily quit without good cause attributable to the employer. Benefits are denied.

## DECISION:

The representative's October 19, 2017, decision (reference 01) is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times the claimant's weekly benefit amount provided the claimant is otherwise eligible.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

bas/rvs