

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SONIA A HENDERSON
Claimant

APPEAL NO. 07A-UI-03448-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

SECURITAS SECURITY SERVICES USA
Employer

**OC: 03/04/07 R: 03
Claimant: Appellant (1)**

Section 96.5(2)a – Discharge for Misconduct

STATEMENT OF THE CASE:

Sonia Henderson filed an appeal from a representative's decision dated March 27, 2007, reference 01, which denied benefits based on her separation from Securitas Security Services, USA (Securitas). After due notice was issued, a hearing was held by telephone on April 19, 2007. Ms. Henderson participated personally. The employer participated by Jessica Henry, Human Resources Specialist, and was represented by Mara Benjamin of Talx Corporation. Exhibits One, Two, and Three were admitted on the employer's behalf.

ISSUE:

At issue in this matter is whether Ms. Henderson was separated from employment for any disqualifying reason.

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Henderson was employed by Securitas from September 29, 2006 until March 9, 2007 as a full-time security officer. She signed an acknowledgement of receipt of the employee handbook on September 27, 2006. The handbook lists several infractions that may result in immediate termination from employment. One of those items is falsification of company documents. The list also includes "filling out or completing a Company time record for another person, or knowingly allowing someone else to fill out one's own timecard or timesheet or falsification of time records."

On March 8, the employer learned that Ms. Henderson and her sister were completing and signing each other's time records. They had done so on five different time records. The two were assigned to the same post and the same shift. The two had time to record their own times but completed and signed the records for each other as a convenience. As a result of the violation of the policy, Ms. Henderson was discharged on March 9, 2007. The employer felt the misrepresentation regarding signatures might call into question other entries made by the two in the course of their employment.

REASONING AND CONCLUSIONS OF LAW:

An individual who was discharged from employment is disqualified from receiving job insurance benefits if the discharge was for misconduct. Iowa Code section 96.5(2)a. The employer had the burden of proving disqualifying misconduct. Cosper v. Iowa Department of Job Service, 321 N.W.2d 6 (Iowa 1982). Ms. Henderson was discharged for violation of a known company rule. She was provided a copy of the rules at the onset of the employment and was expected to be familiar with the contents of the handbook. Therefore, she should have known that she could not complete her sister's time reports and could not have her sister complete hers.

Ms. Henderson has not established any justification for her violation of the employer's work rule. While it may have been more convenient for her and her sister to complete each other's records, such conduct was contrary to the employer's standards of behavior. Although she may have otherwise been a good employee, the fact remains that she violated a known rule. Her actions had the potential of compromising the integrity of the employer's security operations. Her conduct in signing a name other than her own created the possibility that others might question the accuracy of other records she submitted. For the reasons stated herein, the administrative law judge concludes that disqualifying misconduct has been established and benefits are denied.

DECISION:

The representative's decision dated March 27, 2007, reference 01, is hereby affirmed. Ms. Henderson was discharged for misconduct in connection with her employment. Benefits are withheld until such time as she has worked in and been paid wages for insured work equal to ten times her weekly job insurance benefit amount, provided she satisfies all other conditions of eligibility.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/pjs