

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

MEGGA L BROWN
Claimant

ABCM CORPORATION
Employer

APPEAL NO. 18A-UI-10814-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 09/30/18
Claimant: Appellant (1)

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated October 25, 2018, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on November 19, 2018. Claimant participated. Employer failed to respond to the hearing notice and did not participate.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on August 30, 2018. On that date claimant forwarded to employer a doctor's note stating that she was to be excused from work until further evaluation. Claimant had no further contact with employer for the next four weeks. After four weeks, employer sent claimant a letter stating that as a result of her lack of contact with employer for the previous month, that employer had ended claimant's employment.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 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.

The administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because she fell out of contact with employer for a month period of

time after her doctor had given a non-specified excuse that claimant was to be off work until further notice.

Although claimant did forward the doctor's note to employer, said note does not remove claimant's obligation to keep employer informed of her status. The note did not tell employer a date that claimant was to see the doctor again. The note also did not indicate when claimant might return to work. Absent guidance in either of these matters, claimant had to keep employer informed as to her status. Claimant did not do so. As such, employer was reasonable to deem claimant to have voluntarily quit her job as claimant had no contact for a four week period of time.

DECISION:

The decision of the representative dated October 25, 2018, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/scn