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**Cassandra Jenkins v. American Express Financial Corp.**

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### **Parties**

The complainant of the case is American Express Financial Corporation and the respondent is Cassandra Jenkins.

### **Facts**

American Express Financial Corp. employed the defendant for three years as an insurance professional. However, she assaulted the nurse treating her broken ankle and was punished for thirty days in jail. Since the district court knew the defendant as employed, they loyal her to work release and was ordered her to report on starting the jail term on 18<sup>th</sup> of April 2004 (Findlaw, n.d). Also, for Jenkins to be approved for employment on work release, she informed Joel Hansen, her supervisor. Although Hansen was made aware of the defendant's situation, he informed her that the corporation had other workers performing work release. Hence, he will be ready to accommodate her and confirm her employment for work release reasons.

When the day arrived, Jenkins was present at the correctional facility and could not reach her supervisor the next day to allow the approval of the employment. During the first week, Jenkins tried to call Hensen and even send some messages requesting him to inform the work release program to approve her work. Jenkins went to the extent of telling her friend David Huberty to call the supervisor and inform him of the Jenkins issue. Nonetheless, after four days, Hansen sent a letter to Jenkins directing that he was absent from work from 19<sup>th</sup> of April 2004 and stated that if she does not report to work by 26<sup>th</sup> of April, the corporation will consider it resigning voluntarily (Findlaw, n.d). This happened because the defendant could not report to work and she was discharged. Jenkins applied for reimbursement because she was discharged.

Still, the corporation left without the paybacks arguing she was contrary to the engagement agreement because she was involved in worker delinquency of not reporting to work. Since she was not satisfied with the lower court decision, she appealed the case.

### **Procedure**

The outcome of the lower court was in favor of American Express Financial Corporation and Jenkins was the one who was not satisfied with the outcome hence appealed the case.

### **Issue**

Whether the judge made a mistake in law by ruling that the corporation cleared the defendant due to employee misconduct hence incapable of getting unemployment benefits?

Law to be applied in the case is employment law because it is included in the United States laws that regulate how workers and managers can work together. Galvin (2017) claimed that employment law controls the association between employees, supervisors and employers to guarantee that every person is treated fairly based on working conditions, unfair labor practices and termination of work. This could help Jenkins know how to approach her case. Similarly, another law cited in the case is Huber Law.

### **Holding**

The court resolved that the defendant's conduct resulting in her imprisonment was intentional and indicated a significant lack of concern in her employment. Hence holding that she was disqualified from getting unemployment benefits. The corporation won the case.

### **Reasoning**

The decision was arrived at by the reasoning that the defendant's behavior resulted in her incarceration, thus not attending the job as requested. Also, this resulted in her work termination as well as not eligible for unemployment benefits. The behavior of absenteeism at work was associated with incarceration despite her effort to take the work release program.

In summation, the at-will company can dismiss a worker's employment because of conviction of a crime. Hence such dismissal can lead to a resolution that the worker was dismissed for misconduct. Nonetheless, employment was not dismissed for Jenkins's incarceration. The corporation made it hard for her to benefit from an essential correctional tool offered by the legislature and executed by the judge.

### References

Findlaw. (n.d). JENKINS v. Department of Employment and Economic Development,

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