

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

GERARDO S GARCIA
Claimant

APPEAL NO. 12A-UI-01135-S2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

KNIFE RIVER MIDWEST
Employer

**OC: 12/18/11
Claimant: Respondent (1)**

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

A representative's decision date January 25, 2012 (reference 02) that concluded Gerardo Garcia (claimant) was not eligible to receive unemployment insurance benefits was erroneously thought to have been appealed by Knife River Midwest (employer). A hearing was not deemed necessary to be held in order to make a decision for reasons which will appear in the Findings of Fact.

ISSUE:

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

FINDINGS OF FACT:

The administrative law judge, having considered all of the evidence in the record, finds that: The claimant filed an original claim for job insurance benefits effective December 18, 2011. Neither the claimant nor the employer filed an appeal to the January 25, 2012, reference 02, decision.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge finds the claimant is not eligible to receive unemployment insurance benefits.

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.

The administrative law judge has reviewed the records and files herein and concludes that the decision was never appealed and should stand in full force and effect.

DECISION:

The representative's January 25, 2012 decision (reference 02) is affirmed.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/css