

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DORIS J FOSTER**  
Claimant

**APPEAL NO: 12O-UI-01635-S2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**USA STAFFING INC**  
Employer

**OC: 10/16/11**  
**Claimant: Respondent (2/R)**

Section 96.5-1 - Voluntary Quit  
871 IAC 26.8(5) - Decision on the Record

**STATEMENT OF THE CASE:**

An appeal was filed from an unemployment insurance decision dated November 18, 2011, reference 02, that allowed benefits. Administrative Law Judge Hendricksmeier issued a decision on December 21, 2011, reversing the representative's decision. A decision of remand was issued by the Employment Appeal Board on February 16, 2012. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for March 27, 2012. Neither party responded to the hearing notice instructions and did not participate in the hearing. Based on the appellant's failure to participate in the hearing, the administrative file, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Should the previous decision be affirmed?

**FINDINGS OF FACT:**

The parties were properly notified of the scheduled hearing on this appeal. The appellant failed to provide a telephone number at which the appellant could be reached for the hearing and did not participate in the hearing or request a postponement of the hearing as required by the hearing notice.

The Finding of Fact of the administrative law judge in appeal 11A-UI-15155-HT are adopted and incorporated herein as if set forth at length.

**REASONING AND CONCLUSIONS OF LAW:**

The Reasoning and Conclusions of Law of the administrative law judge in appeal 11A-UI-15155-HT are adopted and incorporated herein as if set forth at length.

**DECISION:**

The unemployment insurance decision dated November 18, 2011, reference 02, is reversed. The claimant is not eligible to receive unemployment insurance benefits. 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. The issue of the overpayment is remanded for determination.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

bas/kjw