

IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

LAMONT D TAYLOR
1424½ GAINES ST
DAVENPORT IA 52804

FAMILY DOLLAR SERVICES INC
C/o TALX UC EXPRESS
PO BOX 283
ST LOUIS MO 63166-0283

Appeal Number: 04A-UI-11457-CT
OC: 09/12/04 R: 04
Claimant: Appellant (2)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.5(1)g – Voluntary Quit Requalification

STATEMENT OF THE CASE:

Lamont Taylor filed an appeal from a representative's decision dated October 14, 2004, reference 05, which held that he had not requalified for benefits after his disqualifying separation from Family Dollar Services, Inc. After due notice was issued, a hearing was held by telephone on November 17, 2004. Mr. Taylor participated personally. The employer participated by Tarryn Barrett, Area Human Resources Manager.

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having reviewed all the evidence in the record, the administrative law judge finds: Mr. Taylor was employed by Family Dollar Services from

October 9, 2002 until July 20, 2004. Prior to leaving Family Dollar Services, he was offered work with IBP. The administrative law judge had determined in Appeal 04A-UI-11456-CT that Mr. Taylor's July 20, 2004 separation from Family Dollar Services was not a disqualifying event pursuant to Iowa Code section 96.5(1)a.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Mr. Taylor was required to re-qualify for job insurance benefits after his July 20, 2004 separation from Family Dollar Services. An individual is only required to re-qualify for benefits after a disqualifying separation. See Iowa Code section 96.5(1)g. Inasmuch as the administrative law judge has determined that the July 20 separation was not a disqualifying event, Mr. Taylor would not be required to re-qualify for benefits.

DECISION:

The representative's decision dated October 14, 2004, reference 05, is hereby reversed. Mr. Taylor was not required to re-qualify for benefits after his July 20, 2004 separation from Family Dollar Services as the separation was not a disqualifying event. Benefits are allowed, provided he satisfies all other conditions of eligibility. Family Dollar Services will not be charged for benefits paid to Mr. Taylor

cfc/tjc