

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ANTON HAMILTON
Claimant

APPEAL NO. 07O-UI-04485-S2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

L A LEASING
Employer

**OC: 02/04/07 R: 04
Claimant: Respondent (2)**

Section 96.5-1 - Voluntary Quit
Section 96.3-7 – Overpayment

STATEMENT OF THE CASE:

L A Leasing (employer) appealed a representative's March 9, 2007 decision (reference 02) that concluded Anton Hamilton (claimant) was discharged and there was no evidence of willful or deliberate misconduct. A hearing was scheduled to be held on May 17, 2007, following due notice pursuant to Remand Order of the Employment Appeal Board dated April 26, 2007. The claimant provided a telephone number but could not be reached. The administrative law judge telephoned the claimant twice and left two messages. The employer was ready to participate.

ISSUE:

The issue is whether the claimant voluntarily quit work without good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge, having considered all of the evidence in the record, finds that: The Findings of Fact set forth in the decision in appeal 07A-UI-02688-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 07A-UI-02688-HT are adopted and incorporated herein as if set forth at length.

DECISION:

The representative's March 9, 2007 decision (reference 02) is reversed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until he has worked in and has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible. The claimant is overpaid benefits in the amount of \$693.00 as previously stated in 07A-UI-02688-HT.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/css