

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

CHAD D HENDERSON
Claimant

SINCLAIR GAS STATION
Employer

APPEAL 21O-UI-01024-CL-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 05/17/20
Claimant: Appellant (2)

Iowa Code § 96.5(1) – Voluntary Quitting

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the June 9, 2020, (reference 01) unemployment insurance decision that denied benefits. A hearing was held on July 13, 2020, in Appeal Number 20A-UI-06206-ED-T. Claimant participated, but employer did not and the administrative law judge issued a decision in claimant's favor. The employer appealed to the Employment Appeal Board (EAB). The EAB remanded the case for a new hearing, but did not vacate the decision. A new hearing was scheduled for October 30, 2020. The employer appeared, but the claimant did not and the administrative law judge issued a decision dismissing claimant's appeal. Claimant filed an appeal to the EAB. The EAB remanded the case for a new hearing, but did not vacate the decision. A hearing was scheduled for February 15, 2021. Both parties were properly notified of the hearing scheduled for February 15, 2021. The employer once again did not respond to the hearing notice and did not participate. Because the EAB did not vacate the original appeal decision 20A-UI-UI-06206-ED-T, that hearing record, including any exhibits, is adopted and incorporated herein.

ISSUE:

Should the original appeal 20A-UI-UI-06206-ED-T decision be adopted?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Inasmuch as the decision was not vacated as a result of the Employment Appeal Board remand, the administrative law judge's findings of fact in appeal 20A-UI-UI-06206-ED-T is hereby adopted and incorporated herein as the findings of fact for appeal 21O-UI-01024-CL-T.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes that inasmuch as the decision was not vacated as a result of the Employment Appeal Board remand, the administrative law judge's reasoning and conclusions of law in appeal 20A-UI-UI-06206-ED-T is hereby adopted and incorporated herein as the reasoning and conclusions of law for appeal 21O-UI-01024-CL-T.

DECISION:

Inasmuch as the decision was not vacated as a result of the Employment Appeal Board remand, the administrative law judge's decision in appeal 20A-UI-UI-06206-ED-T is hereby adopted and incorporated herein as the decision for appeal 21O-UI-01024-CL-T. The June 9, 2020, (reference 01) unemployment insurance decision is reversed. Benefits are allowed, provided the claimant is otherwise eligible.



Christine A. Louis
Administrative Law Judge
Unemployment Insurance Appeals Bureau
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February 25, 2021
Decision Dated and Mailed

cal/kmj