

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DEBORAH J BOHLING**  
Claimant

**APPEAL NO. 09A-UI-11772-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ROBERT D ERICKSON**  
Employer

**OC: 07/05/09**  
**Claimant: Respondent (1)**

Section 96.6(2) – Finality of Determinations

**STATEMENT OF THE CASE:**

Robert Erickson filed an appeal from a representative's decision dated August 7, 2009, reference 01, which held that the matter of Deborah Bohling's separation had been adjudicated on a prior claim and remained in effect. After due notice was issued, a hearing was held by telephone on September 1, 2009. Ms. Bohling participated personally. Robert Erickson, Owner, participated as the employer.

**ISSUE:**

At issue in this matter is whether Ms. Bohling's separation was adjudicated on a prior claim.

**FINDINGS OF FACT:**

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: On May 5, 2009, Workforce Development issued a determination holding that Ms. Bohling had been discharged by Robert Erickson on September 26, 2008 but that misconduct had not been established. That determination became final in the absence of a timely appeal.

Ms. Bohling filed a new claim for benefits effective July 5, 2009. The employer herein remained a base period employer on the new claim. She had not performed services for the employer since the September 26, 2008 separation.

**REASONING AND CONCLUSIONS OF LAW:**

Once a determination has become final, Workforce Development has no legal authority to re-adjudicate the issue which resulted in the determination. In the case at hand, the decision holding that Ms. Bohling had been discharged for no disqualifying reason became final when there was no appeal filed within ten days of May 5, 2009 as required by Iowa Code section 96.6(2). The appeal was confirmed as untimely in Appeal 09A-UI-11771-CT.

Even though Ms. Bohling filed a new claim, the subject of her separation from Robert Erickson could not be re-litigated as the prior decision had become final. There was no new period of

employment to be adjudicated. For the above reasons, the determination of August 7, 2009 shall be affirmed.

**DECISION:**

The representative's decision dated August 7, 2009, reference 01, is hereby affirmed. The issue of Ms. Bohling's separation from Robert Erickson was adjudicated on a prior claim and remains in effect. Benefits are allowed, provided she is otherwise eligible.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

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