

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JIMMY L WALKER**  
Claimant

**APPEAL NO. 09A-UI-05592-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TEMP ASSOCIATES**  
Employer

**Original Claim: 03/22/09  
Claimant: Appellant (2)**

Section 96.6(2) – Previous Adjudication

**STATEMENT OF THE CASE:**

The claimant, Jimmy Walker, filed an appeal from a decision dated April 1, 2009, reference 01. The decision found him eligible to receive unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on May 6, 2009. The claimant participated on his own behalf. The employer, Temp Associates, participated by Manager Jan Windsor.

**ISSUE:**

The issue is whether the claimant's separation has been previously adjudicated.

**FINDINGS OF FACT:**

Jimmy Walker's previous benefit year ended March 22, 2009, and the current benefit year started the same date. A decision issued March 6, 2009, reference 01, found he had quit work with Temp Associates without good cause attributable to the employer, but he was still eligible for benefits from other wages in his base period.

That decision has now been reversed, finding he did not quit work without good cause attributable to the employer.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.6-2 provides:

2. Initial determination. A representative designated by the director shall promptly notify all interested parties to the claim of its filing, and the parties have ten days from the date of mailing the notice of the filing of the claim by ordinary mail to the last known address to protest payment of benefits to the claimant. The representative shall promptly examine the claim and any protest, take the initiative to ascertain relevant information concerning the claim, and, on the basis of the facts found by the representative, shall determine whether or not the claim is valid, the week with respect to which benefits shall commence, the weekly benefit amount payable and its maximum duration, and whether any disqualification shall be imposed. The claimant has the burden of proving that the

claimant meets the basic eligibility conditions of section 96.4. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to section 96.5, except as provided by this subsection. The claimant has the initial burden to produce evidence showing that the claimant is not disqualified for benefits in cases involving section 96.5, subsection 10, and has the burden of proving that a voluntary quit pursuant to section 96.5, subsection 1, was for good cause attributable to the employer and that the claimant is not disqualified for benefits in cases involving section 96.5, subsection 1, paragraphs "a" through "h". Unless the claimant or other interested party, after notification or within ten calendar days after notification was mailed to the claimant's last known address, files an appeal from the decision, the decision is final and benefits shall be paid or denied in accordance with the decision. If an administrative law judge affirms a decision of the representative, or the appeal board affirms a decision of the administrative law judge allowing benefits, the benefits shall be paid regardless of any appeal which is thereafter taken, but if the decision is finally reversed, no employer's account shall be charged with benefits so paid and this relief from charges shall apply to both contributory and reimbursable employers, notwithstanding section 96.8, subsection 5.

The claimant's separation from this employment was previously adjudicated, but that decision has now been reversed. Mr. Walker was found to be qualified for benefits as a result of his separation from Temp Associates and the current decision in this case is not applicable.

**DECISION:**

The decision of the representative dated April 1, 2009, reference 01, is reversed. The prior decision on this separation from employment has been reversed. Jimmy Walker is qualified for benefits, provided he is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/kjw