

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

JESSE H SMITH
375 – 20TH ST SE
CEDAR RAPIDS IA 52403

APAC CUSTOMER SERVICE
C/o TALX UC EXPRESS
PO BOX 283
ST LOUIS MO 63166-0283

Appeal Number: 04A-UI-04679-CT
OC: 03/28/04 R: 03
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) – Voluntary Quit

STATEMENT OF THE CASE:

Jesse Smith filed an appeal from a representative's decision dated April 15, 2004, reference 02, which denied benefits based on his February 20, 2004 separation from APAC Customer Services of Iowa (APAC). Due notice was issued scheduling the matter for a telephone hearing to be held on May 18, 2004. Neither party responded to the notice of hearing.

FINDINGS OF FACT:

Having reviewed all the evidence in the record, the administrative law judge finds: The representative's decision which is the subject of this appeal is a duplicate of the decision issued

April 14, 2004, reference 01. Both decisions refer to a separation date of February 20, 2004. There is no evidence that Mr. Smith had two periods of employment with APAC. The separation has been adjudicated in Appeal 04A-UI-04678-CT.

REASONING AND CONCLUSIONS OF LAW:

Inasmuch as Mr. Smith's February 20, 2004 separation has been adjudicated in Appeal 04A-UI-04678-CT, no further determination need be made herein.

DECISION:

The representative's decision dated April 15, 2004, reference 02, is hereby reversed. Mr. Smith voluntarily quit his employment for good cause attributable to the employer. Benefits are allowed, provided he satisfies all other conditions of eligibility.

cfc/kjf