

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**LESLEY S GILL**  
Claimant

**APPEAL NO. 14A-UI-12224-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA PHYSICIANS CLINIC MEDICAL**  
Employer

**OC: 08/10/14**  
**Claimant: Appellant (1)**

Iowa Code § 96.6(3) – Previously Adjudicated  
871 IAC 24.28(6) – Previously Adjudicated

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's November 19, 2014 determination (reference 02) that held her employment separation had already been adjudicated. The claimant participated at the December 15 hearing. The employer did not respond to the hearing notice or participate at the hearing. Based on the evidence, the claimant's arguments, and the law, the administrative law judge concludes the claimant's employment was decided in a September 5 determination. Based on the September 5 determination, the claimant remains disqualified from receiving benefits.

**ISSUE:**

Was the claimant's employment separation from this employer previously adjudicated?

**FINDINGS OF FACT:**

The claimant established a claim for benefits during the week of August 10, 2014. On September 5, a determination held the claimant disqualified from receiving benefits because she had voluntarily quit this employment for reasons that do not qualify her to receive benefits. The claimant appealed this determination, but it was affirmed. See decision for appeal 14A-UI-12223.

The claimant reopened her claim the week of October 26, 2014. As a result of reopening her claim, a November 19 determination was mailed to her that held this employment separation had already been adjudicated.

**REASONING AND CONCLUSIONS OF LAW:**

There shall be no disqualification under Iowa Code § 96.5(1) if a decision on a same employment separation has been made on a prior claim by a representative of the department and such decision has become final. 871 IAC 24.28(6). The parties are bound by that decision and are precluded from litigating again the claimant's separation from employment. If no appeal

is filed, the decision becomes final pursuant to Iowa Code § 96.6(2). The administrative law judge has no legal authority to re-adjudicate an otherwise final determination.

A determination is considered final unless it has been timely appealed Iowa Code § 96.6(3). Since the decision for appeal 14A-UI-12223 disqualified from receiving benefits because the reasons for her employment did not qualify her to receive benefits, this issue cannot be reviewed again. As a result, the claimant remains disqualified from receiving unemployment insurance benefits until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible.

**DECISION:**

The representative's November 19, 2014 determination (reference 02) is affirmed. The claimant's separation has been previously adjudicated and becomes final in the absence of a timely appeal of the decision for appeal 14A-UI-12223.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/css