

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**DEBRA RAY**  
Claimant

**US POSTAL SERVICE**  
Employer

**APPEAL 22A-UI-00480-JD-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 12/26/21**  
**Claimant: Appellant (1)**

Iowa Code § 96.6(3)-(4) – Appeals – Effect of Determination  
Iowa Admin. Code r. 871-24.19(1) – Determination and Review of Benefit Rights  
Iowa Admin. Code r. 871-24.28(7) – Prior Adjudication

**STATEMENT OF THE CASE:**

On December 2, 2021, the claimant filed an appeal from the January 5, 2022, (reference 01) unemployment insurance decision that denied benefits based upon a decision in a prior benefit year for the same separation. The parties were properly notified about the hearing. A telephone hearing was held on January 26, 2022. Claimant, Debra Ray, participated and testified. The employer did not call the toll-free number listed on the notice of hearing and did not participate. The hearing was consolidated with appeal 2A-UI-00479-JD-T. The administrative law judge took official notice of the administrative record.

**ISSUE:**

Was claimant's separation from employment adjudicated in a prior claim year?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The separation at issue has been adjudicated in a prior claim year effective November 26, 2021, as the unemployment insurance decision dated December 20, 2021, reference 02, that found that the claimant voluntarily quit her employment without good cause attributable to her employer has been affirmed in appeal 22A-UI-00479-JD-T.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the separation at issue been adjudicated in a prior claim year.

Iowa Code section 96.6(3) provides:

3. Appeals. a. Unless the appeal is withdrawn, an administrative law judge, after affording the parties reasonable opportunity for fair hearing, shall affirm or modify the findings of fact and decision of the representative. The hearing shall be conducted pursuant to the

provisions of chapter 17A relating to hearings for contested cases. Before the hearing is scheduled, the parties shall be afforded the opportunity to choose either a telephone hearing or an in-person hearing. A request for an in-person hearing shall be approved unless the in-person hearing would be impractical because of the distance between the parties to the hearing. The notice for a telephone or in-person hearing shall be sent to all the parties at least ten calendar days before the hearing date. Reasonable requests for the postponement of a hearing shall be granted. The parties shall be duly notified of the administrative law judge's decision, together with the administrative law judge's reasons for the decision, which is the final decision of the department, unless within fifteen days after the date of notification or mailing of the decision, further appeal is initiated pursuant to this section.

b. Appeals from the initial determination shall be heard by an administrative law judge employed by the department. An administrative law judge's decision may be appealed by any party to the employment appeal board created in section 10A.601. The decision of the appeal board is final agency action and an appeal of the decision shall be made directly to the district court.

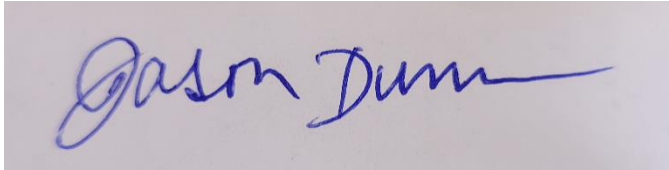
Iowa Admin. Code r. 871-24.19(1) provides:

Claims for benefits shall be promptly determined by the department on the basis of such facts as it may obtain. Notice of such determination shall be promptly given to each claimant and to any employer whose employment relationship with the claimant, or the claimant's separation therefrom, involves actual or potential disqualifying issues relevant to the determination. . . . The notice of appeal rights shall state clearly the place and manner for taking an appeal from the determination and the period within which an appeal may be taken. Unless the claimant or any other such party entitled to notice, within ten days after such notification was mailed to such claimant's last-known address, files with the department a written request for a review of or an appeal from such determination, such determination shall be final.

Inasmuch as the issue presented was resolved in a prior claim year, the current decision referring to the prior claim year decision for the same separation is affirmed.

**DECISION:**

The January 5, 2022, (reference 01) unemployment insurance decision is affirmed. The prior decision on the separation remains in effect.



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Jason Dunn  
Administrative Law Judge  
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February 17, 2022  
Decision Dated and Mailed

jd/mh