

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ANDREW L RICHARDS
Claimant

APPEAL NO. 10A-UI-17428-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

KWIK SHOP INC
Employer

OC: 11/28/10
Claimant: Respondent (2-R)

Section 96.5-2-a – Discharge

STATEMENT OF THE CASE:

The employer filed a timely appeal from an unemployment insurance decision dated December 16, 2010, reference 02, that allowed benefits to the claimant. After due notice was issued, a telephone hearing was held February 4, 2011, on a consolidated record with 10A-UI-17427-AT.

ISSUE:

Was the claimant discharged for misconduct?

FINDINGS OF FACT:

The findings of fact in decision 10A-UI-17427-AT are incorporated herein by reference.

REASONING AND CONCLUSIONS OF LAW:

The reasoning and conclusions of law in decision 10A-UI-17427-AT are incorporated herein by reference.

DECISION:

The unemployment insurance decision dated December 16, 2010, reference 02, is reversed. Benefits are withheld until the claimant has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise. The question of repayment of benefits is remanded to the Unemployment Insurance Services Division.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw