

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**PAIGE LACY**  
Claimant

**MERCY HEALTH SERVICES-IOWA CORP**  
Employer

**APPEAL 21A-UI-15741-AD-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 03/28/21**  
**Claimant: Appellant (1)**

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Iowa Code § 96.6(3) – Appeals  
Iowa Admin. Code r. 871-24.28 – Previous Adjudication

**STATEMENT OF THE CASE:**

On July 14, 2021, Paige Lacy (claimant/appellant) filed an appeal from the July 8, 2021 (reference 01) unemployment insurance decision that denied benefits based on a finding that a decision on the separation was made on a prior claim and remained in effect.

A telephone hearing was held on September 8, 2021. The parties were properly notified of the hearing. Claimant participated personally. Mercy Health Services-Iowa Corp (employer/respondent) participated by Frank Shoemaker. Official notice was taken of the administrative record.

**ISSUE:**

Has the separation issue been previously adjudicated?

**FINDINGS OF FACT:**

Having heard the testimony and having examined the evidence in the record, the administrative law judge finds:

Claimant filed an original claim for unemployment insurance benefits with an effective date of March 28, 2020. A decision was issued on February 24, 2021 (reference 04) which allowed benefits. That allowance was subsequently reversed in a decision dated June 30, 2021, based on a finding claimant voluntarily quit on January 9, 2020 without good cause attributable to employer. That decision remains in force. See 21A-UI-06811-AW-T.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes as follows:

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a. Unless the appeal is withdrawn, an administrative law judge, after affording the parties reasonable opportunity for fair hearing, shall affirm or modify the findings of fact and decision of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. 871-24.28(6) provides:

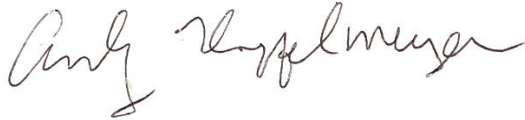
Voluntary quit requalifications and previously adjudicated voluntary quit issues.

(6) The claimant voluntarily left employment. However, there shall be no disqualification under Iowa Code section 96.5(1) if a decision on this same separation has been made on a prior claim by a representative of the department and such decision has become final.

Because the separation issue presented was resolved in a prior claim year the current decision referring to the same separation from employment is affirmed.

**DECISION:**

The July 8, 2021 (reference 01) unemployment insurance decision that denied benefits based on a finding that a decision on the separation was made on a prior claim and remained in effect is AFFIRMED.



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Andrew B. Duffelmeyer  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515) 478-3528

September 16, 2021  
Decision Dated and Mailed

abd/mh

**Note to Claimant:**

If you disagree with this decision, you may file an appeal with the Employment Appeal Board by following the instructions on the first page of this decision. If this decision denies benefits, you may be responsible for paying back benefits already received.

Individuals who are disqualified from or are otherwise ineligible for **regular** unemployment insurance benefits but who are unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.