

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

STANLEY A MCGRAW
Claimant

APPEAL NO. 11A-UI-08028-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

LABOR READY MIDWEST
Employer

**OC: 04/24/11
Claimant: Appellant (2)**

Section 96.5-2-a – Requalification for Benefits

STATEMENT OF THE CASE:

Stanley A. McGraw filed a timely appeal from an unemployment insurance decision dated May 25, 2011, reference 02, that disqualified him for benefits. Due notice was issued for a telephone hearing to be held July 13, 2011. After reviewing all matters of record, the administrative law judge concludes that a formal hearing is not required. This decision is based on information in Agency wage records and benefit payment records.

ISSUE:

Has the claimant re-qualified for benefits since leaving employment with Labor Ready Midwest, Inc.?

FINDINGS OF FACT:

Stanley A. McGraw's employment with Labor Ready Midwest, Inc. ended on August 21, 2010. He filed a claim for unemployment insurance benefits effective April 24, 2011. His weekly benefit amount is \$241.00. After working for Labor Ready Midwest but before filing his claim for unemployment insurance benefits, he earned more than ten times his weekly benefit amount in wages for insured work with other employers.

REASONING AND CONCLUSIONS OF LAW:

The question here concerns the unemployment insurance consequences to these parties of Mr. McGraw's separation from employment on August 21, 2010. The fact-finding decision issued May 25, 2011, disqualified Mr. McGraw until he had re-qualified by earning ten times his weekly benefit amount in wages for insured work. The fact-finding decision dated June 21, 2011, establishes that he had re-qualified. Agency wage records support the accuracy of that decision. Both the decision of May 25, 2011, and June 21, 2011, state that Labor Ready Midwest, Inc. will not be charged with benefits paid to Mr. McGraw during this benefit year.

DECISION:

The unemployment insurance decision dated May 25, 2011, reference 02, is reversed. The claimant re-qualified for unemployment insurance benefits before filing his present claim. He is entitled to receive unemployment insurance benefits, provided he is otherwise eligible. No benefits shall be charged to the account of Labor Ready Midwest, Inc.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw