

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

IRENE E HAUT
Claimant

APPEAL NO. 07A-UI-09874-C

**ADMINISTRATIVE LAW JUDGE
DECISION**

CHRISTIAN RETIREMENT HOMES INC
Employer

**OC: 07/22/07 R: 04
Claimant: Appellant (1)**

Section 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

Irene Haut filed an appeal from a representative's decision dated October 17, 2007, reference 02, which held that a decision concerning her separation from Christian Retirement Homes, Inc. had been made on a prior claim and remained in effect. The matter was heard in conjunction with Appeal 07A-UI-07799-C on October 29, 2007 in Davenport, Iowa. Ms. Haut participated personally and offered additional testimony from Paul Haut. The employer participated by Kathy Walker, Human Resources Director, and Cinda Matter, Housekeeping Director.

ISSUE:

At issue is whether the matter of Ms. Haut's separation has been previously adjudicated on a prior claim.

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Haut filed an original claim for job insurance benefits effective July 23, 2006. She filed an additional claim effective July 8, 2007 after her July 9, 2007 separation from Christian Retirement Homes, Inc. Her old claim expired on July 22, 2007 and she filed a new claim effective July 22, 2007.

Ms. Haut's separation from Christian Retirement Homes, Inc. was adjudicated in the representative's decision dated August 8, 2007, reference 02. She appealed the denial and it has been affirmed in the administrative law judge's decision in Appeal 07A-UI-07799-C.

REASONING AND CONCLUSIONS OF LAW:

The issue of Ms. Haut's separation was adjudicated on her claim filed effective July 23, 2006. The issue arose on her current claim because the employer continues to be a base period employer. However, she had only one period of employment with Christian Retirement Homes, Inc., the one that ended July 9, 2007. Inasmuch as the separation was adjudicated on a prior

claim, the administrative law judge has no jurisdiction to re-adjudicate it. The decision made on the prior claim remains in effect unless reversed at some later point.

DECISION:

The representative's decision dated October 17, 2007, reference 02, is hereby affirmed. The issue of Ms. Haut's separation from Christian Retirement Homes, Inc. was previously adjudicated on a prior claim and remains in effect. Benefits are withheld until such time as she has worked in and been paid wages for insured work equal to ten times her weekly job insurance benefit amount, provided she satisfies all other conditions of eligibility.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/css