

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

SHANNON WOODFORD
Claimant

APPEAL NO. 14A-UI-03372-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

AMERICAN BLUE RIBBON HOLDINGS LLC
Employer

**OC: 02/16/14
Claimant: Respondent (1)**

Iowa Code § 96.5(2)a – Discharge for Misconduct
Iowa Code § 96.6(4) – Previously Adjudicated Issue

STATEMENT OF THE CASE:

The employer appealed a representative's March 24, 2014 determination (reference 02) that held the claimant qualified to receive benefits because her employment separation was for nondisqualifying reasons. A hearing was scheduled on April 21, 2014. The administrative law judge learned and verified with the employer's representative that a hearing held for appeal 14A-UI-03001-BT involved the same parties and the same issue. As a result of this decision there is no need for another hearing. Based on the administrative record and the decision for 14A-UI-03001-BT, the claimant remains qualified to receive benefits.

ISSUE:

Was the issue addressed in a representative's March 24, 2014 also addressed in a representative's March 11, 2014 determination?

FINDINGS OF FACT:

The employer appealed a representative's March 11, 2014 determination which involved the same parties and issue that the March 24, 2014 determination addressed. A decision for appeal 14A-UI-03001-BT addressed the March 11, 2014 determination and concluded the claimant was qualified to receive benefits. The issue addressed in the March 24 determination has already been addressed in the decision for 14A-UI-03001-BT.

REASONING AND CONCLUSIONS OF LAW:

A finding of fact or law, judgment, conclusion, or final order made by an employee or representative of Workforce Development, an Administrative Law Judge, or the Employment Appeal Board, is binding upon the parties in connection with proceedings pertaining to the Iowa Employment Security Act. Iowa Code § 96.6(4). There is, in fact, a decision issued on the claimant's separation from the employer in a representative's decision dated March 11, 2014 determination (reference 01). This issue was adjudicated in the decision for appeal 14A-UI-03001-BT. The administrative law judge has no legal authority to re-adjudicate

the separation. The employer realized the March 24, 2014 determination (reference 02) does not create a new right for the employer to re-litigate this matter.

DECISION:

The representative's March 24, 2014 determination (reference 02) is affirmed and was previously adjudicated in the decision for 14A-UI-03001-BT. The claimant remains qualified to receive benefits.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css