

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

LIDARYL MAXIE
Claimant

WAL-MART STORES INC
Employer

APPEAL 15R-UI-12918-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 09/06/15
Claimant: Appellant (2)

Iowa Code § 96.5(1) – Voluntary Leaving

STATEMENT OF THE CASE:

The claimant filed an appeal from the September 24, 2015, (reference 01) unemployment insurance decision that denied benefits. The parties were properly notified about the hearing. A telephone hearing was held on October 12, 2015 in front of Administrative Law Judge Terry Nice. Claimant participated. Employer did not participate. Judge Nice issued a decision allowing benefits on October 21, 2015. The employer appealed to the Employment Appeal Board, (EAB) alleging they had not received the hearing notice and wanted to participate in the hearing. The EAB remanded for a new hearing. The EAB did not vacate Judge Nice's decision in appeal number 15A-UI-10811-TN-T. After due notice was issued a hearing was scheduled to be held on December 11, 2015. The employer decided not to participate in the new hearing.

ISSUE:

The issue as set out in 15A-UI-10811-TN-T is adopted and incorporated as if set out fully herein.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The finding of fact as set out in 15A-UI-10811-TN-T are adopted and incorporated as if set out fully herein.

REASONING AND CONCLUSIONS OF LAW:

The reasoning and conclusions of law as set out in 15A-UI-10811-TN-T are adopted and incorporated as if set out fully herein.

DECISION:

The decision as set out in 15A-UI-10811-TN-T is adopted and incorporated as if set out fully herein. Benefits are allowed, provided the claimant is otherwise eligible.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/pjs