

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

TANYA CANO
Claimant

APPEAL NO. 12A-UI-09641-NT

**ADMINISTRATIVE LAW JUDGE
DECISION**

ADVANTAGE HUMAN RESOURCING INC
Employer

OC: 07/15/12
Claimant: Respondent (1)

871 IAC 24.28(6) – Prior Adjudication

STATEMENT OF THE CASE:

The employer filed an appeal from the August 1, 2012, reference 03, decision that allowed benefits based upon a decision in a prior benefit year for the same separation. After due notice was issued, a hearing was held by telephone conference call on August 23, 2012. The claimant participated. The employer participated by Ms. Ashley Word, recruiter.

ISSUE:

At issue is whether the separation was adjudicated on a prior claim year.

FINDINGS OF FACT:

Having reviewed all the evidence in the record, the administrative law judge finds: A decision issued had been adjudicated on a prior claim year and that decision has become final.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the separation at issue has been adjudicated on a prior claim year and that decision has become final.

871 IAC 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.

The issue presented was resolved in a prior claim year (original claim date 07/17/11) as a representative's decision dated 08/01/12, reference 03, and the current decision referring to the prior claim year decision on the same separation date is affirmed.

DECISION:

The representative's decision dated August 1, 2012, reference 03, is affirmed. The prior decision on the separation remains in effect.

Terence P. Nice
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw