

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MICHAEL J ARNDORFER
Claimant

APPEAL NO. 14A-UI-08761-JT

**ADMINISTRATIVE LAW JUDGE
DECISION**

HAMPTON HYDRAULICS INC
Employer

OC: 07/27/14
Claimant: Appellant (1)

Iowa Code Section 96.6(4) – Previously Adjudicated Issue

STATEMENT OF THE CASE:

Michael Arndorfer filed an appeal from the August 27, 2014, reference 01, decision that disqualified him for benefits based on an Agency conclusion that his July 14, 2014 separation from Hampton Hydraulics, Inc., had been adjudicated in connection with prior claim year and that decision remained in effect. Mr. Arndorfer requested an in-person hearing. After due notice was issued, an in-person hearing was held in Mason City on October 28, 2014. Mr. Arndorfer participated. Laura Hovenga represented the employer. The hearing in this matter was consolidated with the hearing in Appeal Number 14A-UI-08760-JT. Exhibits Two through Eleven and A, B, C, F through I and L were received into evidence. Department Exhibits D-1 through D-4 were received into evidence.

ISSUE:

Whether the claimant's July 14, 2014 separation from Hampton Hydraulics, Inc., has been adjudicated in connection with prior claim year and whether that decision remains in effect.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Michael Arndorfer separated from his employment with Hampton Hydraulics, Inc., on July 14, 2014. Mr. Arndorfer had not returned to perform any additional work for that employer. On August 1, 2014, Iowa Workforce Development entered a reference 02 decision that disqualified Mr. Arndorfer for benefits, based on an Agency conclusion that he had been discharged for excessive unexcused absences. That same decision relieved the employer of liability for benefits. The decision was based on a claim year that had started for Mr. Arndorfer on July 28, 2013. The August 1, 2014, reference 02, decision has been affirmed on appeal. See Appeal Number 14A-UI-08760-JT. The claim year that started for Mr. Arndorfer on July 28, 2013 expired on July 26, 2014. Mr. Arndorfer established a new claim year that was effective July 27, 2014.

REASONING AND CONCLUSIONS OF LAW:

Unless appealed in a timely manner and reversed on appeal, a finding of fact or law, judgment, conclusion, or final order made pursuant to this section by an employee or representative of Iowa Workforce Development, administrative law judge, or the employment appeal board, is binding upon the parties in proceedings brought under this chapter. See Iowa Code section 96.6(3) and (4).

Mr. Arndorfer's eligibility for benefits and the employer's liability for benefits in connection with his July 14, 2014 separation from the employer was indeed adjudicated in connection with prior claim year. That prior decision has been affirmed on appeal and remains in effect. Because the decision entered in the prior claim year remains binding upon the parties, the claimant continues to be disqualified for benefits in connection with the new claim year.

DECISION:

The August 27, 2014, reference 01, is affirmed. The claimant's July 14, 2014 separation from Hampton Hydraulics, Inc., has been adjudicated in connection with prior claim year and that decision remains in effect. The claimant is disqualified for benefits until he has worked in and been paid wages for insured work equal to ten times his weekly benefit amount. The employer's account will not be charged.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

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