

**IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI**

**MONA R PUTNEY
1742 ROTARY PARK RD
CHARLES CITY IA 50616**

**COMPREHENSIVE SYSTEMS INC
1700 CLARK ST
PO BOX 457
CHARLES CITY IA 50616**

**Appeal Number: 04A-UI-11552-CT
OC: 04/18/04 R: 02
Claimant: Respondent (2-R)**

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.6(2) – Finality of Decisions

STATEMENT OF THE CASE:

Comprehensive Systems, Inc. filed an appeal from a representative's decision dated October 19, 2004, reference 02, which held that the issue of Mona Putney's separation had been previously adjudicated and remained in effect. Due notice was issued scheduling the matter for a telephone hearing to be held on November 18, 2004. However, based on documents in the administrative file, it was concluded that a hearing was unnecessary.

FINDINGS OF FACT:

Having reviewed all the evidence in the record, the administrative law judge finds: Ms. Putney filed a claim of job insurance benefits effective April 18, 2004 after she was suspended from

work with Comprehensive Systems, Inc. on March 19, 2004. The initial determination denied job insurance benefits but was reversed on appeal to an administrative law judge. The June 18, 2004 decision of the administrative law judge adjudicated Ms. Putney's March 19 suspension and became a final decision in the absence of a further appeal by the employer.

Ms. Putney returned to work for comprehensive Systems, Inc. on June 8 and was subsequently separated from the employment in September of 2004. The September separation has not been adjudicated at the initial, fact-finding level.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Ms. Putney's separation from Comprehensive Systems, Inc. has been previously adjudicated. It is true that her separation of March 19, 2004 has been previously adjudicated. However, she had returned to the employment after the March separation. Ms. Putney's later separation in September has not been previously adjudicated. For the above reasons, the administrative law judge concludes that the decision holding that the separation had been previously adjudicated was in error and shall be reversed. This matter shall be remanded to Claims for an investigation and determination regarding the September of 2004 separation.

DECISION:

The representative's decision dated October 19, 2004, reference 02, is hereby reversed. The issue of Ms. Putney's September of 2004 separation has not been adjudicated. This matter is remanded to Claims for an investigation and decision regarding the subsequent separation.

cfc/b