

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

JAIME JAUREGUI  
217 DORINDA ST  
STORM LAKE IA 50588

CARGILL MEAT SOLUTIONS CORP  
c/o TALX EMPLOYER SERVICES  
PO BOX 283  
ST LOUIS MO 63166-0283

Appeal Number: 06A-UI-00469-DT  
OC: 03/13/05 R: 12  
Claimant: Appellant (4)

**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, 4<sup>th</sup> 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.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.5-2-a – Discharge – Requalification

STATEMENT OF THE CASE:

Jaime Jauregui (claimant) appealed a representative's April 11, 2005 decision (reference 01) that concluded he was not qualified to receive unemployment insurance benefits after a separation from employment from Excel Corporation, now doing business as Cargill Meat Solutions Corporation (employer). Hearing notices were mailed to the parties' last-known addresses of record for a telephone hearing to be held on February 2, 2006. Prior to the hearing being held, the administrative law judge determined that no hearing was necessary and a decision was made on the record. Based on a review of the information in the administrative file and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Did the claimant's March 1, 2005 separation disqualify him from benefits, and is the employer's account subject to charge?

FINDINGS OF FACT:

The claimant's employment ended March 1, 2005. He established a claim for unemployment insurance benefits effective April 11, 2005. His weekly benefit amount was calculated to be \$334.00. In a separate representative's decision issued on January 9, 2006 (reference 03), it was determined that the claimant had earned at least ten times his weekly benefit amount after his separation from the employer.

REASONING AND CONCLUSIONS OF LAW:

The wages the claimant earned with the employer are in his base period. After the claimant worked for the employer he has earned more than \$3,340.00 in wages from another employer. As a result, the prior disqualification decision does not affect the claimant's eligibility to receive unemployment insurance benefits. Iowa Code § 96.5-2-a. This also means the employer's account will not be charged for any benefits the claimant receives after his separation. Benefits are allowed, if the claimant is otherwise eligible.

DECISION:

By virtue of the January 9, 2006 (reference 03) decision, the representative's April 11, 2005 (reference 01) decision is modified in favor of the claimant. The claimant is requalified to receive unemployment insurance benefits after his employment with the employer, if he is otherwise eligible. The employer's account will not be charged for any benefits paid.

ld/kjw