

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

CHARLES L BICKHAM
Claimant

EXPRESS SERVICES INC
Employer

APPEAL NO. 15A-UI-04593-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 03/15/15
Claimant: Respondent (2)

871 IAC 24.28(6) – Previously Adjudicated Issue

STATEMENT OF THE CASE:

Employer filed an appeal from a decision of a representative dated April 9, 2015, reference 02, which held claimant eligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on May 26, 2015. Employer participated by Amie Meirick. Claimant failed to respond to the hearing notice and did not participate.

ISSUE:

The issue in this matter is whether the claim was previously adjudicated.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on February 6, 2015.

Claimant was removed from his placement on February 6, 2015 by employer because of client dissatisfaction with work product.

This matter involved a subsequent employment of claimant by employer, not a previous employment which was adjudicated in September, 2014.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-24.28(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 § 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.

In this matter, the evidence has established that the claim was not previously adjudicated by decision of September 9, 2014. As this matter involves a different period of employment, the issue has not been previously adjudicated.

DECISION:

The decision of the representative dated April 9, 2015, reference 02, is reversed. This issue has not been previously adjudicated, and is addressed in 15A-UI-04592-B2-T.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/css