

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RANDALL W HANSEN**  
Claimant

**APPEAL NO: 12A-UI-14897-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WAL-MART STORES INC**  
Employer

**OC: 03/27/11**  
**Claimant: Appellant (4/R)**

871 IAC 24.28(6) – Previously Adjudicated Voluntary Quit Separation

**STATEMENT OF THE CASE:**

The Appeals Section set up an appeal on a representative's May 9, 2011 determination (reference 01) that the claimant did not intend to appeal. A hearing was scheduled on February 6, 2013. At the hearing, the claimant confirmed he had not appealed the May 9, 2011 determination. Based on the claimant's confirmation that he did not appeal this determination, the administrative record, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**FINDINGS OF FACT:**

The claimant established a claim during the week of March 28, 2010. The claimant worked for the employer from May 2010 to June 8, 2010. This employment separation was addressed in a May 6, 2011 determination and adjudicated in the decision for appeal 13A-UI-00221-DWT.

The claimant established a new benefit year during the week of March 27, 2011.

**REASONING AND CONCLUSIONS OF LAW:**

871 IAC 24.28(6) provides that when a decision has been made during a prior claim, the Department does not have the authority to again adjudicate the same employment separation in a new or subsequent benefit year. In this case, the June 8, 2010 employment separation was determined and ultimately adjudicated for the claim year established on March 28, 2010. Since this employment separation has already been decided, the Department does not have the authority to again review the reasons for this employment separation in a new benefit year. The issue cannot be adjudicated a second time. This means the decision for appeal 13A-UI-00221-DWT, determines the claimant's eligibility as of March 27, 2011.

**DECISION:**

The representative's May 9, 2011 determination (reference 01) is affirmed, but based on the decision for appeal 13A-UI-00221-DWT, the claimant is qualified to receive benefits as of March 27, 2011.

This matter is **Remanded** to the Claims Section to pay the claimant benefits he filed for during the weeks ending April 2 and 9, 2011.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/css