

**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**

**Appeal Number: 05O-UI-04279-BT
OC: 01/02/05 R: 02
Claimant: Appellant (2)**

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.

**ALESSANDRA K STAMPS
14 – 13TH ST NW
MASON CITY IA 50401**

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.

**COMPREHENSIVE SYSTEMS INC
PO BOX 457
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CHARLES CITY IA 50616**

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(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96 5-2-a – Discharge for Misconduct

STATEMENT OF THE CASE:

Alessandra Stamps (claimant) appealed an unemployment insurance decision dated January 31, 2005, reference 01, which held that she was not eligible for unemployment insurance benefits because she was discharged from Comprehensive Systems, Inc. (employer) for work-connected misconduct. Administrative Law Judge Beth Sheetz conducted an initial hearing on this matter in appeal 05A-UI-01393-S2T in which benefits were allowed. The employer appealed the decision but the tape of the hearing was defective and could not be transcribed. The Employment Appeal Board remanded for a new hearing in an order dated April 19, 2005. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on May 13, 2005. The hearing had to be continued to May 18, 2005 due to a lack of time in which to complete the hearing on the May 13, 2005. The

claimant participated in the hearing with Attorney Evelyn Ocheltree. The employer participated through Sheryl Pringle, Director of Personnel and Jenny Baker, HCBS Coordinator. Employer's Exhibits One through Three were admitted into evidence.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The Findings of Fact set forth in the decision in appeal 05A-UI-01393-S2T are adopted and incorporated herein as if set forth at length.

REASONING AND CONCLUSIONS OF LAW:

The Reasoning and Conclusions of Law of the administrative law judge in appeal 05A-UI-01393-S2T are adopted and incorporated herein as if set forth at length.

DECISION:

The unemployment insurance decision dated January 31, 2005, reference 01, is reversed. The claimant was discharged. Misconduct has not been established. Benefits are allowed, provided the claimant is otherwise eligible.

sdb/s