

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MARK A JOHNSON
Claimant

APPEAL NO. 08A-UI-00771-MT

**ADMINISTRATIVE LAW JUDGE
DECISION**

EUROPEAN MOTORCARS DES MOINES
Employer

**OC: 12/02/07 R: 02
Claimant: Appellant (2)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated January 7, 2008, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for February 6, 2008. Claimant and employer failed to respond to the hearing notice and did not participate.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

FINDINGS OF FACT:

The administrative law judge, having considered all of the evidence in the record, finds: This matter has been amended by reference 03 to allow benefits. Reference number 01 is now moot.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge holds that reference 01 is moot by amendment of reference 03 which allowed benefits.

Iowa Code section 96.5-1 provides:

An individual shall be disqualified for benefits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department.

DECISION:

The decision of the representative dated January 7, 2008, reference 01, is hereby moot, as it was amended by reference 03. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible.

Marlon Mormann
Administrative Law Judge

Decision Dated and Mailed

mdm/kjw