

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

IVORY FOX
Claimant

APPEAL NO. 07O-UI-01367-BT

**ADMINISTRATIVE LAW JUDGE
DECISION**

APAC CUSTOMER SERVICES OF IOWA
Employer

**OC: 10/29/06 R: 04
Claimant: Respondent (2)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Apac Customer Services of Iowa (employer) appealed an unemployment insurance decision dated November 21, 2006, reference 04, which held that Ivory Fox (claimant) was eligible for unemployment insurance benefits. Administrative Law Judge Deb Wise conducted an initial hearing on this matter in appeal 06A-UI-11693-DWT in which benefits were denied. The claimant appealed the decision indicating he did not participate due to lack of notice. The Employment Appeal Board remanded for a new hearing in an order dated February 5, 2007. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on March 6, 2007. The claimant participated in the hearing. The employer participated through Turkessa Hill, Human Resources Coordinator. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

The issue is whether the claimant's voluntary separation from employment qualifies him to receive unemployment insurance benefits.

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 06A-UI-11693-DWT 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 06A-UI-11693-DWT are adopted and incorporated herein as if set forth at length.

DECISION:

The unemployment insurance decision dated November 21, 2006, reference 04, is reversed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are

withheld until he has worked in and has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible. The claimant is overpaid benefits in the amount of \$298.45, which represents taxes paid by Iowa Workforce Development on behalf of the claimant.

Susan D. Ackerman
Administrative Law Judge

Decision Dated and Mailed

sda/css