

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**SCOTT L HOUTZ**

Claimant

**APPEAL NO. 10A-UI-03639-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TEAM STAFFING SOLUTIONS INC**

Employer

**Original Claim: 02/14/10  
Claimant: Respondent (4)**

Section 96.6-2 – Previously Adjudicated  
Section 96.7-2-a (2) – Employment Liability

**STATEMENT OF THE CASE:**

The employer appealed a representative's March 1, 2010 decision (reference 01) that held the employer's account subject to charge because a decision regarding the reasons for the claimant's employment separation had previously been made. The March 1 decision stated the employer's account was subject to charge. On March 12, 2010, another decision (reference 02) was issued that amended the March 1, 2010 decision. The March 12, 2010 decision held the claimant was still qualified to receive benefits and the employer's account would not be charged because a previous decision (March 18, 2009) relieved the employer's account from charge. Since the March 12, 2010 decision resolved the issue the employer had appealed, a hearing is not necessary. Based on the administrative record and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Is the employer's account subject to charge?

**FINDINGS OF FACT:**

On March 18, 2009, a representative's decision held the claimant was qualified to receive benefits based on the reasons for his employment separation with the employer. The decision also held wage credits the claimant earned from the employer from October 1, 2007 through October 10, 2008, would not be charged to the employer's account, and instead would be charged to the unemployment compensation fund.

The claimant established a new benefit year during the week of February 14, 2010. On March 1, 2010, a representative issued a decision regarding the claimant's employment separation holding that a decision in this matter had been previously made. Therefore, the claimant remained qualified to receive benefits. This decision, however, held that the employer's account could be charged for benefits paid to the claimant.

On March 12, 2010, another decision was issued that amended the March 1, 2010 decision. The March 12 decision confirmed the March 18, 2009 decision that held the claimant qualified to receive benefits and the employer's account exempt from charge.

**REASONING AND CONCLUSIONS OF LAW:**

The March 1, 2010 decision incorrectly held the employer's account would be charged when a March 18, 2009 decision had already held the employer's account exempt from charge. A March 12, 2010 decision corrected this decision and correctly stated the employer's account would not be charged. Iowa Code § 96.6-2.

**DECISION:**

The representative's March 1, 2010 decision (reference 01) has been amended by a March 12, 2010 decision (reference 02). As a result of the March 12 decision, the issue the employer appealed has been resolved. The employer's account is not subject to charge.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/kjw