

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MONIQUE C EDWARDS
Claimant

APPEAL NO. 14R-UI-01692-VST

**ADMINISTRATIVE LAW JUDGE
DECISION**

TEAM STAFFING SOLUTIONS INC
EMPLOYER

OC: 04/28/13
Claimant: Respondent (2-R)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

The employer filed an appeal from a representative's decision dated November 25, 2013, reference 02, which held that the claimant was eligible for unemployment insurance benefits. After due notice, a hearing was held on January 10, 2014 by telephone conference call. The claimant failed to participate in the hearing. Sarah Fiedler participated in the hearing on behalf of the employer.

The administrative law judge who held the hearing on January 10, 2014, issued a decision, dated January 13, 2014, which reversed the representative's decision dated November 25, 2013, reference 02. The claimant was disqualified from receiving unemployment insurance benefits effective October 13, 2013, until she had been paid wages for insured work equal to ten times her weekly benefit amount, provided she was otherwise eligible. The claimant was overpaid \$2,817.41 in unemployment insurance benefits. The issue of whether the claimant was required to repay the overpayment and whether the employer was chargeable for any overpaid benefits was remanded to the Agency. The issue as to whether the claimant failed to report her earnings for the week ending October 12, 2013, was also remanded.

The claimant filed an appeal to the Employment Appeal Board (EAB) In a decision dated February 12, 2014, the EAB remanded the case for a new hearing but did not vacate the decision issued by the administrative law judge on January 13, 2014. A hearing was scheduled for and held on March 12, 2014. The claimant did not respond to the hearing notice and did not participate. The employer participated by Sarah Fiedler.

ISSUE:

Whether the claimant voluntarily quit employment without good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge incorporates the findings of fact contained in Appeal No. 13A-UI-13190-SWT by reference thereto.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge incorporates the findings of fact contained in Appeal No. 13A-UI-13190-SWT, by reference thereto.

DECISION:

The unemployment insurance decision dated November 25, 2013, reference 02, is reversed. The claimant is disqualified from receiving unemployment insurance benefits effective October 13, 2013, until she has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible. The claimant was overpaid \$2,817.41 in unemployment insurance benefits. The issue of whether the claimant is required to repay the overpayment and whether the employer is chargeable for any overpaid benefits is remanded to the Agency. The issue as to whether the claimant failed to report her earnings for the week ending October 12, 2013, is also remanded.

Vicki L. Seeck
Administrative Law Judge

Decision Dated and Mailed

vls/pjs