IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS

RANDALL R ROORDA
Claimant

TRADESMEN INTERNATIONAL INC
Employer

APPEAL NO. 11A-UI-11081-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 07/17/11
Claimant: Appellant (1)

871 IAC 24.28(6) – Prior Adjudication

STATEMENT OF THE CASE:

Randall R. Roorda filed a timely appeal from an unemployment insurance decision dated August 15, 2011, reference 01, that ruled his disqualification imposed during a prior benefit year remained in effect. After due notice was issued, a telephone hearing was held September 14, 2011 on a consolidated record with 11A-UI-11080-AT.

ISSUE:

Does the prior adjudication decision remain in effect?

FINDINGS OF FACT:

The fact-finding decision dated June 1, 2011, reference 02, in the June 27, 2010 benefit year of Randall R. Roorda has been affirmed by the administrative law judge's decision in the companion case. Mr. Roorda has not been employed since his separation from employment on January 15, 2011. He has not returned to his former employer with an unrestricted release to resume working.

REASONING AND CONCLUSIONS OF LAW:

Section 871-24.28(6) of the Iowa Administrative Code states that decisions made in a claimant's prior benefit year carry over into the new benefit year unless the individual has requalified for benefits. The evidence in this record establishes that the disqualifying decision from his 2010 benefit year has not been reversed and that he has not requalified for benefits either by earning ten times his weekly benefit amount in wages for insured work with a subsequent employer or by returning to his prior employer with an unrestricted release to resume working. Under these circumstances, benefits must be withheld.

DECISION:

The unemployment insurance decision dated August 15, 2011, reference 01, is affirmed. Benefits are withheld.

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Dan Anderson
Administrative Law Judge

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Decision Dated and Mailed

pjs/pjs