

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CORY D MCDANIEL
Claimant

APPEAL NO. 15A-UI-03082-NT

**ADMINISTRATIVE LAW JUDGE
DECISION**

THE HON COMPANY
Employer

OC: 02/15/15
Claimant: Appellant (1)

Section 96.5(2)a – Discharge
Section 96.6(3) – Prior Adjudication

STATEMENT OF THE CASE:

Cory McDaniel filed an appeal from a representative's decision dated March 11, 2015 (reference 01) which denied benefits based upon a decision in a prior benefit year for the same separation. After due notice was provided, a telephone hearing was held on April 9, 2015. Claimant participated. The employer participated by Ms. Deniece Norman, Hearing Representative, and witnesses Ms. Cheri McClusky; Mr. Russ Hillman; and Mr. Bart Haffner. Employer Exhibits One through 24 and Exhibits 28 and 29 were admitted into evidence.

ISSUE:

At issue is whether the separation was adjudicated in a prior claim year.

FINDINGS OF FACT:

Having considered all of the evidence in the record, the administrative law judge finds: The decision at issue has been adjudicated in a prior claim. That decision has been affirmed, see Appeal No. 15A-UI-03081-NT.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes that the separation issue has been adjudicated in a prior claim year and that decision has been affirmed.

Iowa Admin. Code r. 871-24.28(6) provides:

Voluntary quit requalifications and previously adjudicated voluntary quit issues.

(6) The claimant voluntarily left employment. However, there shall be no disqualification under Iowa Code section 96.5(1) if a decision on this same separation has been made on a prior claim by a representative of the department and such decision has become final.

The issue that was presented was resolved in a prior claim year, original claim date February 16, 2014, and that decision has been affirmed. The representative's decision, dated March 11, 2015 (reference 01) the current decision, that refers to the prior claim year decision on the same separation is affirmed.

DECISION:

The March 11, 2015 (reference 01) decision is affirmed. The prior decision on the separation remains in effect.

Terence P. Nice
Administrative Law Judge

Decision Dated and Mailed

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