

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CALEB S MCMURRIN
Claimant

APPEAL NO. 12A-UI-05641-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

BEEF PRODUCTS INC
Employer

OC: 10/23/11
Claimant: Respondent (1)

Section 96.3-5 – Business Closure

STATEMENT OF THE CASE:

Beef Products, Inc. filed a timely appeal from an unemployment insurance decision dated May 3, 2012, reference 03, that allowed benefits to Caleb S. McMurrin upon a finding that he had become unemployed in connection with a business closure. A telephone hearing was held July 11, 2012 on a consolidated record with 12A-UI-06677-AT.

ISSUE:

Is the claimant unemployed as the result of a business closure?

FINDINGS OF FACT:

On March 26, 2012, Caleb S. McMurrin was notified by his employer, Beef Products, Inc., that the plant at which he worked would most likely close in 60 days. On May 14, 2012, the company's senior management made the final decision to close the plant. Mr. McMurrin performed no services for the company after March 26, 2012.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3-5 allows recomputation of an individual's unemployment insurance benefits if the individual has become unemployed as the result of the individual's last employer ceasing operations at the location where the individual last worked. Mr. McMurrin last worked for Beef Products, Inc. in Waterloo, Iowa. The employer has ceased operations at that location. The claimant's relocation from Waterloo to Orlando after he last performed services for the company but before the plant closure is immaterial.

DECISION:

The unemployment insurance decision dated May 3, 2012, reference 03, is affirmed.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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