

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ALIER P AGOK
Claimant

APPEAL NO. 13A-UI-00358-LT

**ADMINISTRATIVE LAW JUDGE
DECISION**

SWIFT PORK CO
Employer

**OC: 11/11/12
Claimant: Appellant (1)**

Iowa Code § 96.5(2)a – Discharge for Misconduct
Iowa Admin. Code r. 871-26.8(5) – Decision on the Record

STATEMENT OF THE CASE:

An appeal was filed from an unemployment insurance decision dated December 27, 2012 (reference 01) that denied benefits. A telephone hearing was scheduled for February 13, 2013. The appellant did not respond to the hearing notice instructions. Based on the appellant's failure to participate, the administrative file, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law and decision.

ISSUE:

Should the representative's decision be affirmed?

FINDINGS OF FACT:

The parties were properly notified of the scheduled hearing on this appeal. The appellant failed to provide a telephone number at which he could be reached for the hearing and did not participate or request a postponement of the hearing as required by the hearing notice.

The administrative law judge has conducted a review of the available administrative file to determine whether the unemployment insurance decision should be affirmed.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge has carefully reviewed the available evidence in the record and concludes that the unemployment insurance decision previously entered in this case is correct and should be affirmed.

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Pursuant to the rule, the appellant must make a written request to the administrative law judge that the hearing be reopened within 15 days after the mailing date of this decision. The written request should be mailed to the administrative law judge at the address listed at the beginning of this decision and must explain the emergency or other good cause that prevented the appellant from participating in the hearing at its scheduled time.

DECISION:

The unemployment insurance decision dated December 27, 2012 (reference 01) is affirmed. The representative's decision remains in effect.

Dévon M. Lewis
Administrative Law Judge

Decision Dated and Mailed

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