

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DELMAR DUHN**  
Claimant

**APPEAL NO. 09A-UI-15160-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**SHAMROCK HOLDINGS LLC**  
Employer

**Original Claim: 07/12/09  
Claimant: Respondent (1)**

Section 96.5 – Disqualifying Separation from Employment

**STATEMENT OF THE CASE:**

The employer filed a timely appeal from an unemployment insurance decision dated October 5, 2009, reference 02, that allowed benefits to the claimant. Due notice was issued for a telephone hearing to be held October 22, 2009. At the time of the hearing, the employer and the claimant entered into a stipulation.

**ISSUE:**

Was the claimant's separation from employment with this employer a disqualifying event?

**FINDINGS OF FACT:**

Having examined all matters of record, the administrative law judge finds: The claimant's separation from employment with Shamrock Holdings, LLC occurred on July 10, 2009, because the property at which the claimant had been employed was sold to a different company. Shamrock Holdings is a management company through whom the claimant had been employed when the previous owner operated the property.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the separation from employment with Shamrock Holdings, LLC was a disqualifying event. It was not.

Upon separation from employment, a claimant may be disqualified for benefits if, and only if, the separation was a discharge for misconduct in connection the employment or a voluntary quit without good cause attributable to the employer. See Iowa Code section 96.5-2-a and 96.5-1 respectively. The claimant's separation from employment with Shamrock Holdings, LLC occurred for circumstances not involving a quit or a discharge. No disqualification may be imposed.

**DECISION:**

The unemployment insurance decision dated October 5, 2009, reference 02, is affirmed. The claimant is entitled to receive unemployment insurance benefits, provided all other eligibility requirements are met.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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