

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**MACKINSIE K RICHEY**  
Claimant

**ROSS HOLDINGS LLC**  
Employer

**APPEAL 19A-UI-05160-NM-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 05/26/19**  
**Claimant: Appellant (2)**

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Iowa Code § 96.5(1) – Voluntary Quit - Requalification

**STATEMENT OF THE CASE:**

Claimant filed a timely appeal from the June 18, 2019, (reference 01) unemployment insurance decision that denied benefits based upon a voluntary quit from employment on February 18, 2019. After due notice was issued, a hearing was scheduled to be held on July 23, 2019. Because the issue appealed was resolved administratively prior to the hearing in the appellant's favor (see the reference 06 unemployment insurance decision), no testimony was necessary and no hearing was held.

**ISSUE:**

Should the unemployment insurance decision be affirmed?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The decision appealed has been resolved in favor of the appellant by the June 28, 2019, (reference 06) unemployment insurance decision.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the unemployment insurance decision should be reversed.

Iowa Code section 96.5(1) provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department.

Since the decision appealed has been resolved in favor of the appellant, the original unemployment insurance decision bearing reference 01 is reversed.

**DECISION:**

The June 18, 2019, (reference 01) unemployment insurance decision is reversed. Benefits are allowed, provided claimant is otherwise eligible. The account of this employer shall not be charged based upon this separation from employment.

The hearing scheduled on July 23, 2019, at 10:00 a.m. is canceled.

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Nicole Merrill  
Administrative Law Judge

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Decision Dated and Mailed

nm/rvs