

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

STACY L JOHNSON
Claimant

APPEAL NO. 11O-UI-11383-LT

**ADMINISTRATIVE LAW JUDGE
DECISION**

BEN SHINN TRUCKING INC
Employer

**OC: 05/22/11
Claimant: Appellant (1)**

Iowa Code § 96.5(1) – Voluntary Leaving
871 IAC 26.8(5) – Decision on the Record

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the June 17, 2011 (reference 01) decision that denied benefits. After the Employment Appeal Board (EAB) remanded, due notice was issued, a hearing was scheduled to be held on November 2, 2011. The employer did respond to the hearing notice. The claimant did not respond to the hearing notice and did not participate. Because the EAB did not vacate the original appeal decision number 11A-UI-08389-PT, that hearing record is adopted and incorporated herein.

ISSUE:

The issue is whether the original appeal decision should be adopted.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Inasmuch as the decision was not vacated as a result of the Employment Appeal Board remand, the administrative law judge's findings of fact in appeal number 11A-UI-08389-PT is hereby adopted and incorporated herein as the findings of fact for appeal number 11O-UI-11383-LT.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes that inasmuch as the decision was not vacated as a result of the Employment Appeal Board remand, the administrative law judge's reasoning and conclusions of law in appeal number 11A-UI-08389-PT is hereby adopted and incorporated herein as the reasoning and conclusions of law for appeal number 11O-UI-11383-LT.

DECISION:

Inasmuch as the decision was not vacated as a result of the Employment Appeal Board remand, the administrative law judge's decision in appeal number 11A-UI-08389-PT is hereby adopted and incorporated herein as the decision for appeal number 11O-UI-11383-LT, decision

June 17, 2011, reference 01. Benefits are withheld until such time as the claimant works in and has been paid wages equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Dévon M. Lewis
Administrative Law Judge

Decision Dated and Mailed

dml/css