

IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI

ALAN D TAYLOR  
205 – 1<sup>ST</sup> ST E  
INDEPENDENCE IA 50644-2808

BERTCH CABINET MFG INC  
PO BOX 2280  
WATERLOO IA 50704-2280

Appeal Number: 06A-UI-07444-DT  
OC: 07/09/06 R: 03  
Claimant: Appellant (4)

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.5-2-a – Discharge/Misconduct/Requalification

STATEMENT OF THE CASE:

Alan D. Taylor (claimant) appealed a representative's July 21, 2000 decision (reference 01) that concluded he was not qualified to receive unemployment insurance benefits in conjunction with a separation from employment from Bertch Cabinet Manufacturing, Inc. (employer). Hearing notices were mailed to the parties' last-known addresses of record for a telephone hearing to be held on August 10, 2006. Prior to the hearing being held, the administrative law judge determined that no hearing was necessary and a decision was made on the record. Based on a review of the information in the administrative file and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

FINDINGS OF FACT:

The claimant established an initial claim for unemployment insurance benefits effective January 2, 2005. He filed an additional claim effective August 21, 2005 due to his separation from employment on August 24, 2005. His weekly benefit amount for that claim year was \$306.00. His separation was determined to be disqualifying. He established a second claim year effective July 9, 2006; his current year's weekly benefit amount is \$334.00. A subsequent Agency decision issued on July 27, 2006 (reference 02) concluded that the claimant has sufficient earnings from another employer after the separation from employment from the employer to satisfy the ten times requalification requirement.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge further concludes from information contained in the administrative record that the claimant has requalified for benefits since the separation from this employer. Accordingly, benefits are allowed and the account of the employer shall not be charged.

DECISION:

The representative's July 21, 2000 decision (reference 01) is modified in favor of the claimant to be consistent with the representative's July 27, 2006 (reference 02) decision. The employer discharged the claimant for disqualifying reasons. The claimant has requalified for benefits since the separation. Benefits are allowed, provided the claimant is otherwise eligible. The account of the employer shall not be charged.

ld/pjs