

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

PEDRO E GINES

Claimant

APPEAL NO. 16A-UI-07807-S1-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

PACKERS SANITATION SERVICES INC

Employer

OC: 08/09/15

Claimant: Respondent (2/R)

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

Packers Sanitation Services (employer) appealed a representative's July 12, 2016, decision (reference 02) that concluded Pedro Gines (claimant) was eligible to receive unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for August 4, 2016. The claimant participated personally. The employer participated by Antonio Aguilar, Assistant Manager, and Jose Martinez, Site Manager. Exhibit D-1 was received into evidence.

ISSUE:

The issue is whether the August 2015, separation was previously adjudicated.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: Administrative Law Judge Jeremy Peterson entered a decision dated September 21, 2015, in Appeal 15A-UI-09976-JP-T on the August 2015 separation. He found the claimant voluntarily quit work without good cause attributable to the employer and was not eligible to receive unemployment insurance benefits until he had worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he was otherwise eligible.

The claimant started work again and was later separated from this employer on June 24, 2016.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow the administrative law judge concludes the August 2015, separation was previously adjudicated.

The issue of the claimant's June 24, 2016, separation from work from this employer is remanded for determination.

DECISION:

The representative's July 12, 2016, decision (reference 02) is reversed. The prior decision on the matter remains in effect. The issue of the claimant's June 24, 2016, separation from work from this employer is remanded for determination.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/pjs