IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS

JASON B LANG
Claimant

APPEAL NO. 12A-UI-05957-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

MCGRAW-HILL INC
Employer

OC: 02/19/12
Claimant: Appellant (2)

Section 96.3-5 – Business Closure
871 IAC 24.29 – Business Closure

STATEMENT OF THE CASE:

The claimant filed a timely appeal from an unemployment insurance decision dated May 14, 2012, reference 04, that denied his request to determine his benefits pursuant to the business closure provisions of the law. After due notice was issued, a telephone hearing was held June 14, 2012 with the claimant participating. The employer elected not to participate.

ISSUE:

Is the claimant unemployed as the result of a business closure?

FINDINGS OF FACT:

The claimant last worked for the employer at 7500 Chavenelle Road in Dubuque, Iowa. This was the claimant's last place of employment prior to filing the present claim for unemployment insurance benefits. The employer has vacated the location and has moved operations to another state.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3-5 allows recomputation of an individual's unemployment insurance benefit amounts if the individual has become unemployed as a result of the employer ceasing operations at the last place at which the claimant was employed before filing the present claim for unemployment insurance benefits. The effect of the law is to allow up to an additional 13 weeks of unemployment insurance benefits. The evidence in the record establishes that the claimant became unemployed under circumstances contemplated by this provision of the law. Recalculation of benefits pursuant to the business closure provisions of the statute is appropriate.

DECISION:

The unemployment insurance decision dated May 14, 2012, reference 04 is reversed. Recalculation of benefits pursuant to the business closure provision of the statute is approved.

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Dan Anderson
Administrative Law Judge

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Decision Dated and Mailed

pjs/pjs