

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

EVERLENE TALBERT
500 PENN CT
NORTH LIBERTY IA 52317

LATTA, HARRIS, HANON AND
PENNINGROTH
1201 NORTH AVE
TIPTON IA 52772-1143

Appeal Number: 05A-UI-05449-AT
OC: 04/17/05 R: 03
Claimant: Appellant (2)

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, 4th 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.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.5-7 – Vacation Pay

STATEMENT OF THE CASE:

Everlene Talbert filed a timely appeal from an unemployment insurance decision dated May 13, 2005, reference 02, which held her ineligible for unemployment insurance benefits for the week ending May 28, 2005 upon a finding that she was entitled to receive vacation pay for the week in question. After due notice was issued, a telephone hearing was held on June 14, 2005. This matter is considered on a consolidated with 05A-UI-05448-AT.

FINDINGS OF FACT:

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: The findings of fact of 05A-UI-05448-AT are incorporated herein by reference.

REASONING AND CONCLUSIONS OF LAW:

The reasoning and conclusions of law contained in decision 05A-UI-05448-AT are incorporated herein by reference.

DECISION:

The unemployment insurance decision dated May 13, 2005, reference 02, is reversed. The claimant is entitled to receive unemployment insurance benefits for the week ending May 28, 2005, provided she is otherwise eligible.

kjw/pjs