

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

CHINA T JORDAN
Claimant

APPEAL 16A-UI-09834-DL-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

CARE INITIATIVES

OC: 01/17/16
Claimant: Appellant (2)

Iowa Code § 96.5(2)a – Discharge for Misconduct - Requalification

STATEMENT OF THE CASE:

Claimant filed a timely appeal from the February 18, 2016, (reference 02) unemployment insurance decision that denied benefits based upon a discharge from employment on January 22, 2016. After due notice was issued, a hearing was scheduled to be held on September 26, 2016. Because the issue appealed was resolved administratively prior to the hearing in the appellant's favor (see the reference 04 unemployment insurance decision), no testimony was necessary and no hearing was held.

ISSUE:

Should the unemployment insurance decision be affirmed?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The decision appealed has been resolved in favor of the appellant by the September 14, 2016, (reference 04) unemployment insurance decision.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the unemployment insurance decision should be reversed.

Iowa Code section 96.5(2)a provides:

Causes for disqualification.

An individual shall be disqualified for benefits:

2. *Discharge for misconduct.* If the department finds that the individual has been discharged for misconduct in connection with the individual's employment:

a. The individual shall be disqualified for benefits until the individual has worked in and has been paid wages for insured work equal to ten times the individual's weekly benefit amount, provided the individual is otherwise eligible.

Since the decision appealed has been resolved in favor of the appellant, the original unemployment insurance decision bearing reference 02 is reversed.

DECISION:

The February 18, 2016, (reference 02) unemployment insurance decision is reversed. Benefits are allowed. The account of this employer shall not be charged based upon this separation from employment.

Dévon M. Lewis
Administrative Law Judge

Decision Dated and Mailed

dml/pjs