

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RHIANNON L BERGER**  
Claimant

**APPEAL NO. 10A-UI-14484-VST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TOP GRADE INC**  
Employer

**OC: 09/05/10**  
**Claimant: Respondent (1R)**

**Iowa Code § 96.5-1 - Prior Adjudication of Voluntary Quit**  
**Iowa Code § 96.6(4) - Previously Adjudicated Issue**

**STATEMENT OF THE CASE:**

Employer filed an appeal from a decision of a representative dated October 14, 2010, reference 03, which held claimant eligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on December 10, 2010. Claimant participated. Employer participated by Jane Robertson and Stephanie Garberson. No testimony was taken. Official notice is taken of agency records.

**ISSUE:**

Whether the issue of voluntary quit has been previously adjudicated.

**FINDINGS OF FACT:**

The administrative law judge, having considered all of the evidence in the record, makes the following findings of fact:

The representative issued two decisions on the same claim. The employer in this case, Top Grade Inc., (268328) was purchased by Results Customer Solutions (372890). Agency wage records show wages reported under both employer account numbers during the base period. At the time of the separation of employment, Results Customer Solutions was the claimant's employer.

The employer appealed both this decision and a decision entered in favor of the claimant against Results Customer Solutions. An administrative law judge decision was entered in favor of the claimant in 10A-UI-13987-N.

**REASONING AND CONCLUSIONS OF LAW:**

A finding of fact or law, judgment, conclusion, or final order made by an employee or representative of Workforce Development, an Administrative Law Judge, or the Employment Appeal Board, is binding upon the parties in connection with proceedings pertaining to the Iowa Employment Security Act. See Iowa Code § 96.6(4). In this case, a decision was entered by an

administrative law judge on the separation of employment from this employer in 10A-UI-13987-N. The parties agree that that decision concerns the identical claim in this case. The confusion came about because the representative was unaware that Results Customer Solutions had purchased Top Grade Inc and that the two employers were one and the same.

The previous adjudication by the administrative law judge in 10A-UI-13987-N is binding here. The claimant voluntarily left for good cause attributable to the employer. Benefits are allowed if the claimant is otherwise eligible. This matter is remanded to the claims section for any necessary adjustment to the records concerning the employer's accounts.

**DECISION:**

The decision of the representative dated October 14, 2010, reference 03, is affirmed. Unemployment insurance benefits are allowed, if the claimant is otherwise eligible.

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Vicki L. Seeck  
Administrative Law Judge

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Decision Dated and Mailed

vls/pjs