

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JUANA MUNOZ
Claimant

APPEAL 18R-UI-02211-SC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

THE HILLSHIRE BRANDS COMPANY
Employer

**OC: 12/10/17
Claimant: Appellant (6)**

Iowa Code § 96.5(2)a – Discharge for Misconduct
Iowa Code § 96.5(1) – Voluntary Quitting
Iowa Code § 17A.12(3) – Default Decision
Iowa Admin. Code r. 871-26.14(7) – Dismissal of Appeal on Default

STATEMENT OF THE CASE:

Juana Munoz (claimant) filed an appeal from the December 26, 2017, reference 01, unemployment insurance decision that denied benefits. The claimant's address of record has been as stated above during the entire claim process thus far. The claimant received and appealed the administrative law judge's decision in 17A-UI-13443-SC-T. The Employment Appeal Board (EAB) remanded the case for a new hearing as the claimant denied receiving the first hearing notice. A new hearing was scheduled to be held on March 16, 2018 and new hearing notices were issued. The claimant did respond to the hearing notice. Because the EAB did not vacate the original appeal decision 17A-UI-13443-SC-T, that hearing record, including any exhibits, is adopted and incorporated herein.

ISSUE:

Should the original default decision be adopted?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Inasmuch as the decision was not vacated as a result of the EAB remand, the administrative law judge's findings of fact in appeal 17A-UI-13443-SC-T is hereby adopted and incorporated herein as the findings of fact for appeal 18R-UI-02211-SC-T.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes that inasmuch as the decision was not vacated as a result of the EAB remand, the administrative law judge's reasoning and conclusions of law in appeal 17A-UI-13443-SC-T is hereby adopted and incorporated herein as the reasoning and conclusions of law for appeal 18R-UI-02211-SC-T.

DECISION:

Inasmuch as the decision was not vacated as a result of the Employment Appeal Board remand, the administrative law judge's decision in appeal 17A-UI-13443-SC-T is hereby adopted and incorporated herein as the decision for appeal 18R-UI-02211-SC-T. Benefits are withheld until such time as the claimant works in and has been paid wages equal to ten times her weekly benefit amount, provided she is otherwise eligible.

Stephanie R. Callahan
Administrative Law Judge

Decision Dated and Mailed

src/scn