

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

JOE N LOWERY
556 – 16TH AVE
EAST MOLINE IA 61244

IOC SERVICES LLC
1641 POPPS FERRY RD B1
BILOXI MS 39532 2226

Appeal Number: 05A-UI-05577-DW
OC: 05/08/05 R: 12
Claimant: Appellant (1)

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 96.5-2-a - Discharge

STATEMENT OF THE CASE:

Joe N. Lowery (claimant) appealed a representative's May 20, 2005 decision (reference 02) that concluded he was not qualified to receive unemployment insurance benefits, and the account of IOC Services LLC (employer) would not be charged because the claimant had been discharged for disqualifying reasons. The Claims Section issued an identical decision the same day, May 20, 2005, but as reference 02. Since reference 01 and 02 are identical decisions, the decision for appeal 05A-UI-05576-DW, which relates to reference 01 is adopted verbatim for appeal 05A-UI-05577-DW (reference 02).

FINDINGS OF FACT:

See decision for appeal 05A-UI-05576-DW.

REASONING AND CONCLUSIONS OF LAW:

See decision for appeal 05A-UI-05576-DWT.

DECISION:

The representative's May 20, 2005 decision (reference 02) is affirmed. The employer discharged the claimant for reasons that constitute work-connected misconduct. The claimant is disqualified from receiving unemployment insurance benefits as of May 8, 2005. This disqualification continues until he has been paid ten times his weekly benefit amount for insured work, provided he is otherwise eligible. The employer's account will not be charged.

dlw/tjc