

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ALEXIS C LLANOS**  
Claimant

**APPEAL NO. 11A-UI-14479-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**SIOUX CITY EXPLORERS BASEBALL  
CLUB LLC**  
Employer

**OC: 09/25/11  
Claimant: Respondent (1)**

Section 96.6(2) – Previous Adjudication

**STATEMENT OF THE CASE:**

The employer, Sioux City Explorers Baseball Club LLC (Explorers), filed an appeal from a decision dated October 28, 2011, reference 01. The decision allowed benefits to the claimant, Alexis Llanos. After due notice was issued a hearing was held by telephone conference call on December 8, 2011. Neither the claimant nor the employer provided telephone numbers where they could be contacted and no hearing was held.

**ISSUE:**

The issue is whether the claimant's separation has been previously adjudicated.

**FINDINGS OF FACT:**

Alexis Llanos filed a claim for unemployment benefits with an effective date of September 26, 2010. A decision was issued on his separation from this employment on October 28, 2011. That decision was appealed by the employer on November 7, 2011. That decision was appealed and the findings affirmed in Appeal 11A-UI-14478-HT.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code § 96.6-2 provides:

2. Initial determination. A representative designated by the director shall promptly notify all interested parties to the claim of its filing, and the parties have ten days from the date of mailing the notice of the filing of the claim by ordinary mail to the last known address to protest payment of benefits to the claimant. The representative shall promptly examine the claim and any protest, take the initiative to ascertain relevant information concerning the claim, and, on the basis of the facts found by the representative, shall determine whether or not the claim is valid, the week with respect to which benefits shall commence, the weekly benefit amount payable and its maximum duration, and whether any disqualification shall be imposed. The claimant has the burden of proving that the claimant meets the basic eligibility conditions of section 96.4. The employer has the

burden of proving that the claimant is disqualified for benefits pursuant to section 96.5, except as provided by this subsection. The claimant has the initial burden to produce evidence showing that the claimant is not disqualified for benefits in cases involving section 96.5, subsection 10, and has the burden of proving that a voluntary quit pursuant to section 96.5, subsection 1, was for good cause attributable to the employer and that the claimant is not disqualified for benefits in cases involving section 96.5, subsection 1, paragraphs "a" through "h". Unless the claimant or other interested party, after notification or within ten calendar days after notification was mailed to the claimant's last known address, files an appeal from the decision, the decision is final and benefits shall be paid or denied in accordance with the decision. If an administrative law judge affirms a decision of the representative, or the appeal board affirms a decision of the administrative law judge allowing benefits, the benefits shall be paid regardless of any appeal which is thereafter taken, but if the decision is finally reversed, no employer's account shall be charged with benefits so paid and this relief from charges shall apply to both contributory and reimbursable employers, notwithstanding section 96.8, subsection 5.

The determination on the claimant's separation from this employment has been previously adjudicated and benefits were allowed.

**DECISION:**

The representative's decision of October 28, 2011, reference 01, is affirmed. The claimant's separation has been previously adjudicated.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

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