

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**BRITTNEY N DAVIS**  
Claimant

**SDH EDUCATION WEST LLC**  
Employer

**APPEAL 21A-UI-19599-CS-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 07/11/21  
Claimant: Appellant (1)**

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Iowa Code § 96.6(3) – Appeals  
Iowa Admin. Code r. 871-24.28(6-8) – Prior Adjudication

**STATEMENT OF THE CASE:**

On September 3, 2021, the claimant/appellant filed an appeal from the September 1, 2021, (reference 02) unemployment insurance decision that found a decision on the March 18, 2021, separation was made on a prior claim. The parties were properly notified about the hearing. A telephone hearing was held on October 28, 2021. This hearing was held together with appeal 21A-UI-19598-CS-T and together they make one record. Claimant participated at the hearing. Employer participated through Aaron Knutson. Exhibits A, B, 1, and 2 were admitted into the record.

**ISSUE:**

Has the issue been previously adjudicated?

**FINDINGS OF FACT:**

Having reviewed the claimant's administrative record, the administrative law judge finds:

The separation issue presented was resolved in a prior claim year (original claim date July 5, 2020). The Administrative Law Judge rendered a decision on this separation with employer ADH Education West LLC in Appeal No. 21A-UI-19598-CS-T. That decision disallowed benefits to the claimant and found that the separation from employment was disqualifying. The decision was issued at the same time as this decision and it has not become final.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the separation at issue has been previously adjudicated in a prior claim year. Accordingly, this decision is affirmed.

Iowa Admin. Code r. 871-24.28(7) provides:

Voluntary quit requalifications and previously adjudicated voluntary quit issues.

The claimant voluntarily left employment. However, there shall be no disqualification under Iowa Code section 96.5(1) if a decision on this same

separation has been made on a prior claim by the administrative law judge and such decision has become final.

The separation issue presented was resolved in a prior claim year (original claim date July 5, 2020). Appeal No. 21A-UI-19598-CS-T found claimant was disallowed benefits due to her voluntarily quitting her employment. As such, this reference 02 decision, referring to the same separation, is affirmed. The issue cannot be adjudicated a second time.

**DECISION:**

The September 1, 2021 (reference 02) decision is affirmed since the separation was previously adjudicated in a prior claim year and it has not become final. Claimant is not eligible to receive unemployment benefits.



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Carly Smith  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau

November 15, 2021  
Decision Dated and Mailed

cs/scn

**NOTE TO CLAIMANT:** This decision determines you are not eligible for regular unemployment insurance benefits. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision. Individuals who do not qualify for regular unemployment insurance benefits but who were unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>. If this decision becomes final or if you are not eligible for PUA, you may have an overpayment of benefits.

**ATTENTION:** On May 11, 2021, Governor Reynolds announced that Iowa will end its participation in federal pandemic-related unemployment benefit programs effective June 12, 2021. The last payable week for PUA in Iowa is the week ending June 12, 2021. You may be eligible for benefits incurred prior to June 12, 2021. Additional information can be found in the press release at <https://www.iowaworkforcedevelopment.gov/iowa-end-participation-federal-unemployment-benefit-programs-citing-strong-labor-market-and>.