

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

TAMMY L FROHN
Claimant

APPEAL 16A-UI-07198-EC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 04/24/16
Claimant: Appellant (6)**

Iowa Code § 96.4(3) – Able and Available for Work
Iowa Admin. Code r. 871-24.2(1)e – Failure to Report
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal
Iowa Admin. Code r. 871-26.11 – Motions

STATEMENT OF THE CASE:

The claimant/appellant filed an appeal from the unemployment insurance decision dated June 20, 2016, reference 02, that denied unemployment insurance benefits due to her failure to report to Iowa Workforce Development as required. A telephone hearing was scheduled on July 19, 2016 at 10:00 a.m. Before the hearing date, the claimant received a favorable decision from Iowa Workforce Development, dated July 6, 2016, reference 04. This decision made the issues on appeal moot. Therefore, no testimony or additional evidence was necessary. No hearing is needed.

ISSUES:

Should the most recent unemployment insurance decision be affirmed?

Should the appeal be dismissed as moot?

FINDINGS OF FACT:

The pertinent agency documents relating to this claimant and this appeal establish the following facts: The claimant/appellant filed an appeal from the unemployment insurance decision dated June 20, 2016, reference 02, denying unemployment insurance benefits as of 06/12/16. This decision stated that she failed to report to Iowa Workforce Development as required.

A telephone hearing was scheduled for this appeal on July 19, 2016 at 10:00 a.m. Before the hearing date, the claimant received a favorable decision from Iowa Workforce Development, dated July 6, 2016, reference 04. The decision dated July 6, 2016, reference 04, specifically stated that she was now able and available for work and allowed benefits beginning 06/12/16, without a gap in coverage.

This most recent decision made the only issue on appeal moot. Therefore, no testimony or additional evidence is necessary. No hearing is needed.

REASONING AND CONCLUSIONS OF LAW:

Generally, courts and administrative tribunals do not decide issues when the underlying controversy is moot. *Rhiner v. State*, 703 N.W.2d 174, 176 (Iowa 2005). "A case is moot if it no longer presents a justiciable controversy because the issues involved are academic or nonexistent." *Iowa Bankers Ass'n v. Iowa Credit Union Dep't*, 335 N.W.2d 439, 442 (Iowa 1983)

The most recent decision, dated July 6, 2016, reference 04, restored the claimant's eligibility for benefits without a gap in coverage. This decision resolved the issue on appeal in the appellant's favor, making this appeal moot.

DECISION:

The request to dismiss the appeal of the unemployment insurance decision dated June 20, 2016, reference 02, is approved. The decision issued on July 6, 2016, reference 04, is affirmed. The appeal is dismissed as moot.

The hearing scheduled on July 19, 2016 at 10:00 a.m. is canceled.

Emily Gould Chafa
Unemployment Appeals Bureau
Iowa Workforce Development

Decision Dated and Mailed

ec/pjs