

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MICHELE R SCHON
Claimant

APPEAL NO. 07A-UI-09880-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

ALORICA INC
Employer

**OC: 07-08-07 R: 01
Claimant: Appellant (2)**

Section 96.4-3 - Able and Available

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the October 12, 2007, reference 04, decision that denied benefits. After due notice was issued a hearing was scheduled for November 7, 2007. Because of subsequent agency action, the hearing was not necessary.

ISSUE:

Should the decision be reversed and benefits allowed?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The representative's decision the claimant appealed from dated October 12, 2007, reference 04, denied benefits effective from July 8, 2007 through September 15, 2007. In a representative's decision dated October 30, 2007, reference 06, amending reference 04, the agency reversed that denial and allowed benefits effective July 8, 2007. It was found that the claimant was able to and available for work.

REASONING AND CONCLUSIONS OF LAW:

Inasmuch as the agency reversed the prior disqualification prior to the hearing, there is no issue for the administrative law judge to adjudicate. Benefits are allowed effective July 8, 2007, provided the claimant is otherwise eligible.

DECISION:

The representative's decision dated October 12, 2007, reference 04, is reversed so as to be consistent with the subsequent agency action. Benefits are allowed, provided the claimant is otherwise eligible.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/pjs