

IOWA DEPARTMENT OF INSPECTIONS AND  
APPEALS  
Division of Administrative Hearings  
Wallace State Office Building  
Des Moines, Iowa 50319

DECISION OF THE ADMINISTRATIVE LAW JUDGE

**NEIL BACHMAN**  
**1303 LUCAS**  
**MUSCATINE, IA 52761**

**IOWA WORKFORCE DEVELOPMENT**  
**REEMP. SERVICES COORDINATOR &**  
**DAVID HARTMAN**

JONI BENSON, IWD  
DONNI ANDERSON, IWD

**Appeal Number: 13WDUI470**

**OC: 02/17/13**

**Claimant: Appellant (6)**

**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 Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>TH</sup> 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 the department. 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)

---

October 30, 2013

---

(Decision Dated & Mailed)

---

**STATEMENT OF THE CASE**

Neil Bachman filed an appeal from a decision issued by Iowa Workforce Development (the Department) on September 19, 2013, notifying him that he was ineligible to receive unemployment insurance benefits because he failed to report for a reemployment and eligibility assessment on September 18, 2013. The decision stated that Mr. Bachman was denied benefits as of September 15, 2013 and continuing until such time as he reported for an assessment.

The case was transmitted from Workforce Development to the Department of Inspections and Appeals on October 4, 2012 to schedule a contested case hearing. A Notice of Telephone Hearing was mailed to all parties on October 11, 2013. The notice was sent to Mr. Bachman at his address of record and was not returned to this office as undeliverable.

On October 30, 2013, a contested case hearing was convened. David Hartman represented the Department. Appellant Neil Bachman failed to appear. Mr. Hartman and I waited five minutes past the time scheduled for hearing, but Mr. Bachman did not call in for the hearing. The Department elected to proceed in his absence.

The Department submitted the administrative file with documents which I numbered 1-4. Each of those documents was admitted into evidence.

Mr. Hartman was sworn in and presented testimony that Mr. Bachman began employment on September 18, 2013. Mr. Hartman stated that he spoke with Mr. Bachman after the appeal was filed and, as a result of their conversation, Mr. Bachman's claim for benefits was "unlocked" for the week ending September 21, 2013, he was paid partial benefits for that week based on his earnings from his new employment and, Mr. Bachman has not filed a claim for benefits since that date. Therefore, it appears that Mr. Hartman, in effect, rescinded the Department's decision dated September 19, 2013 and Mr. Bachman has been paid all benefits for which he made claim.

There are no other issues to be decided in this appeal and it should therefore be dismissed.

### **DECISION**

This appeal is dismissed as moot.

Signed this 30<sup>th</sup> day of October, 2013.

A handwritten signature in black ink, appearing to read "Kerry Anderson", with a stylized, flowing script.

Kerry Anderson  
Administrative Law Judge

cc: Joni Benson, IWD  
Donni Anderson, IWD