

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHRISTOPHER M WHITE
Claimant

APPEAL NO. 14A-UI-00260-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

IOWA BRIDGE & CULVERT LC
Employer

OC: 11/24/13
Claimant: Appellant (2)

Iowa Code § 96.4(3) – Able and Available

STATEMENT OF THE CASE:

The claimant filed an appeal from the December 19, 2013, (reference 04) unemployment insurance decision that denied benefits. Prior to the hearing being scheduled, the agency issued another decision awarding benefits. The employer is not protesting the claimant's claim for benefits.

ISSUE:

Was the claimant able to and available for work?

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 December 19, 2013 reference 04 denied benefits. In a representative's decision dated January 13, 2014, reference 05, the agency reversed that denial and allowed benefits effective December 8, 2013. It was found that the employer laid the claimant off work effective December 6, 2013. The claimant has been receiving benefits.

REASONING AND CONCLUSIONS OF LAW:

Inasmuch as the agency reversed the prior ineligibility decision prior to the hearing, there is no issue for the administrative law judge to adjudicate.

DECISION:

The representative's decision dated December 19, 2013, (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