

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

KARLYN K BREECHER
Claimant

NORTH CEDAR TRUCKING LLC
Employer

APPEAL 21A-UI-02595-CL-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 07/05/20
Claimant: Respondent (6)

Iowa Code § 96.6(2) – Timeliness of Protest
Iowa Code § 96.7(2)a(6) – Appeal from the Statement of Charges

STATEMENT OF THE CASE:

On December 4, 2020, the employer filed an appeal from the November 9, 2020, statement of charges that included charges for claimant's unemployment insurance benefits in the third quarter of 2020. Employer had previously filed an appeal that was assigned Appeal Number 21A-UI-01587-CL-T. The appeal filed on December 4, 2020, was duplicative and this appeal number was assigned and hearing was scheduled for March 9, 2021, in error.

ISSUE:

Should this appeal be dismissed because it was set up in error?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: On December 4, 2020, the employer filed an appeal from the November 9, 2020, statement of charges that included charges for claimant's unemployment insurance benefits in the third quarter of 2020. Employer had previously filed an appeal on November 13, 2020, that was assigned Appeal Number 21A-UI-01587-CL-T. The appeal filed on December 4, 2020, was duplicative and this appeal number was assigned and hearing was scheduled for March 9, 2020, in error.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case was adjudicated in Appeal Number 21A-UI-01587-CL-T on February 23, 2021. The administrative law judge made a decision in that case. This appeal, scheduled for hearing on March 9, 2020, was based on a duplicate appeal filed by employer. The hearing was scheduled in error. There are no additional issues the administrative law judge needs to decide, so the appeal will be dismissed and the hearing on March 9, 2021, is cancelled.

DECISION:

The duplicate appeal of the November 9, 2020, Statement of Charges for the third quarter of 2020 is dismissed. This appeal was set up in error. The issues on appeal were addressed in Appeal Number 21A-UI-01587-CL-T. The hearing on March 9, 2021, is cancelled.



Christine A. Louis
Administrative Law Judge
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March 4, 2021
Decision Dated and Mailed

cal/scn