

Here the Employer did not participate in the hearing through no fault of the Employer. The Employer complied with the notice instructions by providing contact information (two separate numbers). Although the Employer could not be reached at one number, the second number was never called to allow the Employer access to the process. Under this circumstance, we find the Employer has

established its intention to follow through with the appeals process. For this reason, we shall remand this matter for another hearing before an administrative law judge to allow the Employer its due process right.

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**DECISION:**

The decision of the administrative law judge dated April 22, 2020 is not vacated and remains in force unless and until the Department makes a differing determination pursuant to this remand. This matter is remanded to an administrative law judge in the Workforce Development Center, Appeals Section. The administrative law judge shall conduct a hearing following due notice. After the hearing, the administrative law judge shall issue a decision which provides the parties appeal rights.

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Ashley R. Koopmans

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James M. Strohman

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Myron R. Linn

AMG/fnv