

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

TAMMIE J WOLTER
Claimant

APPEAL 17A-UI-10412-DB-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 09/10/17
Claimant: Appellant (6)

Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Code Ch. 96 – Iowa Employment Security Act

STATEMENT OF THE CASE:

An appeal was set up from a representative decision dated October 11, 2017 (reference 02) that found claimant was denied benefits due to her failure to report for a reemployment and eligibility assessment. The appeal letter was for a different decision and this appeal was mistakenly set up in error. An appeal hearing will be scheduled on the case that the appeal letter was submitted by the employer for.

ISSUE:

Should the appeal in this matter be dismissed?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

The employer forwarded an appeal letter dated October 12, 2017 intending to appeal a representative's decision dated October 3, 2017 (reference 01). An appeal hearing will be scheduled on the case that the appeal letter was submitted by the employer for.

The appeal from the representative decision dated October 11, 2017 (reference 02) was set up in error. No party from the decision dated October 11, 2017 (reference 02) had submitted an appeal. The hearing scheduled for October 30, 2017 at 3:00 p.m. is cancelled.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 96.6(2) provides that a party to a representative's decision must appeal that decision with ten days of the mailing of the decision. No party to the representative's decision filed an appeal. The appeal letter submitted was for a different decision and this appeal was mistakenly set up in error. As such, the appeal in this matter should be dismissed.

DECISION:

The appeal in this matter is dismissed. The representative decision dated October 11, 2017 (reference 02) shall remain in full force and effect.

The hearing scheduled for October 30, 2017 at 3:00 p.m. is cancelled.

Dawn Boucher
Administrative Law Judge

Decision Dated and Mailed

db/rvs