

**IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI**

**JAMES C CHIVERS
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**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**Appeal Number: 05A-UI-06738-SWT
OC: 05/01/05 R: 03
Claimant: Appellant (2)**

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 written Notice of Appeal, directly to the **Employment Appeal Board, 4th 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 Workforce Development. 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)

(Decision Dated & Mailed)

871 IAC 24.9(2) - Redetermination

STATEMENT OF THE CASE:

An appeal was filed from an unemployment insurance decision dated June 22, 2005, reference 03, that concluded the claimant had failed to report as directed. A hearing was scheduled for July 18, 2005. Prior to the hearing being held, the Agency issued a redetermination that reversed the denial of benefits.

FINDINGS OF FACT:

The unemployment insurance decision dated June 22, 2005, reference 03, has been redetermined to allow benefits.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance rules permit the Agency to redetermine a decision based on newly discovered facts that affect the validity of the original decision. 871 IAC 24.9(2)-d. That has been done in this case and eliminates the need for a hearing.

DECISION:

The unemployment insurance decision dated June 22, 2005, reference 03, is reversed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

saw/sc