

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

CARLA D FRANKLIN
Claimant

APPEAL 18A-UI-12247-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 10/21/18
Claimant: Appellant (6)**

Iowa Admin. Code r. 871-24.2(1)e – Failure to Report
Iowa Code § 96.4(3) – Available to Work
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action
Iowa Admin. Code r. 871-26.11 - Motions

STATEMENT OF THE CASE:

The claimant/appellant filed an appeal from the unemployment insurance decision dated December 19, 2018, (reference 05) that denied benefits due to claimant's failure to participate in reemployment services. Iowa Workforce Development issued a favorable decision to the claimant, dated December 27, 2018, (reference 06) allowing benefits, if the claimant was otherwise eligible effective December 16, 2018. After due notice was issued a hearing was scheduled for January 10, 2018 at 3:00 p.m.

ISSUE:

Should the appeal be dismissed as moot?

FINDINGS OF FACT:

These findings of fact are based on the pertinent agency documents relating to this claimant and her appeal. An unemployment insurance decision dated December 19, 2018, (reference 05) determined that the claimant was not eligible for unemployment insurance benefits as of December 16, 2018, because she failed to report to Iowa Workforce Development as required for a reemployment and eligibility assessment. The claimant appealed this decision.

Iowa Workforce Development issued a favorable decision to the claimant, dated December 27, 2018, (reference 06), stating that claimant was eligible for unemployment insurance benefits effective December 16, 2018 because she participated in the reemployment and eligibility assessment.

Claimant also has pending three additional appeals that are stopping her from receiving unemployment insurance benefits. They are scheduled for hearing on January 10, 2019 at 2:00, 2:05 and 2:10 p.m. Those hearings will proceed as scheduled. Claimant should

immediately register her telephone number per the instructions on the hearing notice so she can participate in the hearing, if she has not already done so.

REASONING AND CONCLUSIONS OF LAW:

Generally, courts and administrative tribunals do not decide issues when the underlying controversy is moot. *Rhiner v. State*, 703 N.W.2d 174, 176 (Iowa 2005). “A case is moot if it no longer presents a justiciable controversy because the issues involved are academic or nonexistent.” *Iowa Bankers Ass’n v. Iowa Credit Union Dep’t*, 335 N.W.2d 439, 442 (Iowa 1983).

The agency has issued a decision allowing benefits to the claimant regarding her participation in reemployment services. The appeal of the representative’s decision dated December 19, 2018 (reference 05) is therefore dismissed.

NOTE TO CLAIMANT:

Claimant also has pending three additional appeals that are stopping her from receiving unemployment insurance benefits. They are scheduled for hearing on January 10, 2019 at 2:00, 2:05 and 2:10 p.m. respectively. Those hearings will proceed as scheduled. Claimant should immediately register her telephone number per the instructions on the hearing notice so she can participate in the hearings, if she has not already done so.

DECISION:

The appeal of the unemployment insurance decision dated December 19, 2018 (reference 05) is dismissed as moot.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/rvs