

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**CHERYL M BOGARDUS**  
Claimant

**APPEAL 16A-UI-12689-CL-T**  
**ADMINISTRATIVE LAW JUDGE**  
**DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 10/02/16**  
**Claimant: Appellant (2)**

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Iowa Code § 96.4(3) - Able and Available  
Iowa Admin. Code r. 871-24.2(1)e – Notice to Report  
Iowa Admin. Code r. 871-24.23(11) – Failure to Report

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the November 29, 2016, (reference 01), unemployment insurance decision that denied benefits based upon a failure to report as directed by a department representative. After due notice was issued, a telephone conference hearing was scheduled to be held on December 13, 2016. Because the issue appealed was resolved administratively prior to the hearing in the appellant's favor (see the reference 02 and 03 representative's decision), no testimony was necessary and no hearing was held.

**ISSUE:**

The issue is whether the representative's decision should be affirmed.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The decision appealed has been amended in favor of the appellant by the reference 02 and 03 representative's decision.

**REASONING AND CONCLUSIONS OF LAW:**

Since the decision appealed has been amended in favor of the appellant, the original representative's decision bearing reference 01 is reversed.

**DECISION:**

The November 29, 2016, (reference 01) unemployment insurance decision is reversed. Benefits are allowed.

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Christine A. Louis  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

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Decision Dated and Mailed

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