

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

MARGARET M WHEELER
Claimant

**ANAMOSA COMMUNITY SCHOOL
DISTRICT**
Employer

APPEAL 21A-UI-06447-AD-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 03/15/20
Claimant: Appellant (6)

Iowa Code § 96.4(5) – Eligibility Between Academic Years or Terms
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Admin. Code r. 871-26.8(1) - Dismissal

STATEMENT OF THE CASE:

On March 1, 2021, Margaret Wheeler (claimant/appellant) filed a timely appeal from the Iowa Workforce Development decision dated February 17, 2021 (reference 02) that denied benefits as of May 31, 2020 based on a finding claimant was unemployed between academic years or terms.

A telephone hearing was held on May 10, 2021. The parties were properly notified of the hearing. Claimant participated personally. Anamosa Community School District (employer/respondent) participated by Business Manager Linda Vonbehren.

Official notice was taken of the administrative record.

ISSUE(S):

- I. Should the appeal be dismissed due to the issue being moot?

FINDINGS OF FACT:

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

Claimant filed a claim for benefits each week from the benefit week ending March 21, 2020 through the benefit week ending May 16, 2020. Claimant did not file a claim for benefits after that time. The academic term ended on May 29, 2020.

REASONING AND CONCLUSIONS OF LAW:

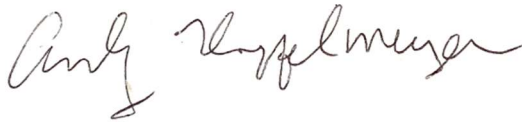
For the reasons that follow, the administrative law judge dismisses the appeal as moot.

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 issue of whether claimant is eligible for benefits between academic years or terms need not be decided, as claimant did not file a claim for benefits after the academic term had ended and as such the decision is not averse to her.

DECISION:

The appeal of the decision dated February 17, 2021 (reference 02) that denied benefits as of May 31, 2020 based on a finding claimant was unemployed between academic years or terms is DISMISSED, as it the issue on appeal is moot.



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

May 18, 2021
Decision Dated and Mailed

abd/kmj

Note to Claimant:

If you disagree with this decision, you may file an appeal with the Employment Appeal Board by following the instructions on the first page of this decision. If this decision denies benefits, you may be responsible for paying back benefits already received.

Individuals who are disqualified from or are otherwise ineligible for **regular** unemployment insurance benefits but who are unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.