

IOWA DEPARTMENT OF INSPECTIONS AND APPEALS  
Division of Administrative Hearings  
Wallace State Office Building  
Des Moines, Iowa 50319

**Appeal Number: 14IWDUI317**

**OC: 8/31/14**

**Claimant: Appellant (6)**

DECISION OF THE ADMINISTRATIVE LAW JUDGE

**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 Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>TH</sup> 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.

**CORNISHA C. HOPSON  
1467 VALLEY VIEW DRIVE APT B  
CORALVILLE, IA 52241-1108**

STATE CLEARLY

**IOWA WORKFORCE DEVELOPMENT  
RE-EMPLOYMENT SERVICES  
LORI ADAMS  
CAROL DUGGAN**

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.

JONI BENSON, IWD

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 the department. 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.

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(Administrative Law Judge)

**November 26, 2014**

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(Decision Dated & Mailed)

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871—Iowa Administrative Code 26.14(6) -- Default by Claimant  
871—IAC 24.2(1)“e” & 24.11 – Reemployment and Eligibility Assessment  
871—IAC 24.6(6) – Justifiable Cause for Failure to Report

### **STATEMENT OF THE CASE**

The Claimant, Cornisha C. Hopson, filed a timely appeal from a decision issued by Iowa Workforce Development (IWD) dated November 3, 2014 (reference 02). The decision informed Ms. Hopson that IWD had determined that, because she failed to participate in a re-employment and eligibility assessment on October 30, 2014, she was ineligible to receive unemployment insurance benefits beginning October 26, 2014.

The case was transmitted from IWD to the Department of Inspections and Appeals on November 4, 2014 to schedule a contested case hearing. A Notice of Telephone Hearing was mailed to all parties on November 5, setting a hearing date of November 26, 2014 at

8:00 a.m. The Notice sent to Ms. Hopson was not returned as undeliverable by the U.S. Postal Service. Ms. Hopson failed to participate in the hearing. Carol Duggan, a reemployment services coordinator, appeared for IWD. Administrative notice was taken of documents in the administrative file, which are follows:

1. IWD's decision of November 3, 2014 to Ms. Hopson determining that she was ineligible for unemployment benefits as of October 26, 2014, and continuing "until you report for this assessment."
2. Ms. Hopson's timely appeal.
3. The Notice of Telephone Hearing.

### **ISSUES**

Two issues certified for appeal were: 1) whether IWD correctly determined that the Claimant was ineligible to receive unemployment benefits and 2) whether IWD correctly determined that the Claimant did not establish justifiable cause for failing to participate in reemployment services.

### **FINDINGS OF FACT**

IWD proposes that Ms. Hopson's unemployment insurance benefits be stopped as of October 26, 2014 until she reports for a mandatory reemployment services assessment.

### **REASONING AND CONCLUSIONS OF LAW**

IWD administrative rule 871—IAC 26.14(6) states in part, "If the appealing party fails to appear, the presiding officer may decide the party is in default and dismiss the appeal." Mr. Rogers is in default. His appeal is dismissed.

### **DECISION**

For the foregoing reasons, the appeal filed by Cornisha C. Hopson is dismissed and IWD's decision dated November 3, 2014 is affirmed. IWD shall take any action necessary to implement this decision.

cjg