

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

STELLA A BELLCOCK
Claimant

APPEAL 21A-UI-22617-S2-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

LOHRVILLE LOCKER LLC
Employer

**OC: 09/19/21
Claimant: Appellant (1)**

Iowa Code § 96.5(2)a – Discharge for Misconduct
Iowa Code § 96.5(1) – Voluntary Quit
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment
Iowa Admin. Code r. 871-24.10 – Employer/Representative Participation Fact-finding Interview
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Admin. Code r. 871-26.8(1) - Dismissal

STATEMENT OF THE CASE:

On October 12, 2021, Lohrville Locker, LLC (employer/appellant) filed an appeal from the unemployment insurance decision dated October 5, 2021, reference 01, that determined claimant was eligible for unemployment insurance benefits and relieved this employer of charges for any benefits. After due notice was issued, a hearing was set for hearing by telephone conference call on December 3, 2021. Claimant Stella A. Bellcock and employer responded to the hearing notice, but no hearing was held.

ISSUE:

Did the employer file an appeal from a favorable decision?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant established a claim for benefits with an effective date of September 19, 2021. The unemployment insurance decision dated October 5, 2021, reference 01, that determined claimant was eligible for unemployment insurance benefits and relieved this employer of charges for any benefits. Employer filed an appeal from this favorable decision. That appeal was set for hearing in error.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the employer filed an appeal from a favorable decision and the appeal was set for hearing in error.

Iowa Admin. Code r. 871-26.8(1) provides:

Withdrawals, dismissals, and postponements.

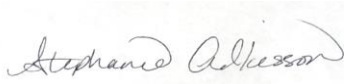
(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. Requests for withdrawal may be made in writing or orally, provided the oral request is recorded by the presiding officer.

An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor.

The employer filed an appeal from a favorable decision on the above-referenced issue, which was set for hearing in error. The representative's decision has become final and remains in full force and effect. For any benefits claimant may receive, this employer will not be charged.

DECISION:

The unemployment insurance decision dated October 5, 2021, (reference 01), is affirmed. The employer filed an appeal from a favorable decision on the above-referenced issue, which was set for hearing in error. The representative's decision has become final and remains in full force and effect.



Stephanie Adkisson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
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Fax (515)478-3528

January 7, 2022
Decision Dated and Mailed

sa/mh