

**IOWA WORKFORCE DEVELOPMENT DEPARTMENT  
UNEMPLOYMENT INSURANCE APPEALS SECTION  
1000 EAST GRAND AVENUE  
DES MOINES IA 50319**

**Appeal Number: 06A-UI-01115-DWT  
OC: 12/18/05 R: 04  
Claimant: Respondent**

**DANA W DETRICH  
18521 – 166<sup>TH</sup> AVE  
MANCHESTER IA 52057**

**L A LEASING INC  
SEDONA STAFFING  
612 VALLEY DR  
MOLINE IL 61265**

**ORDER GRANTING REQUEST TO REOPEN RECORD**

On February 21, 2006 a telephone hearing in this matter was scheduled in this case. Dana W. Detrich (claimant) was called for the hearing, but he did not answer. A message was left on his answering machine. Colleen McGuinty and Kathy Hutchenson appeared on behalf of Sedona Staffing (employer).

The claimant contacted the Appeals Section at 1:00 p.m. for the 9:00 a.m. scheduled hearing. The claimant did not have the corrected hearing notice with him. (The hearing had been rescheduled upon the employer's request.) The claimant was available for the hearing, but did not remember what time in the morning the hearing was scheduled to take place. The claimant waited for the hearing conference call the morning of February 21. When he did not receive a call in the morning, he looked for a phone number to contact the Appeals Section. After he found the phone number, he called. The claimant's answering machine was not flashing and he did not realize he had been called at 9:00 a.m. for the hearing. The claimant requested that the hearing be reopened.

871 IAC 26.14(7) provides:

(7) If a party has not responded to a notice of telephone hearing by providing the appeals section with the names and telephone numbers of its witnesses by the scheduled time of the hearing, the presiding officer may proceed with the hearing.

a. If an absent party responds to the hearing notice while the hearing is in progress, the presiding officer shall pause to admit the party, summarize the hearing to that point, administer the oath, and resume the hearing.

b. If a party responds to the notice of hearing after the record has been closed and any party which has participated is no longer on the telephone line, the presiding officer shall not take the evidence of the late party. Instead, the presiding officer shall inquire as to why the party was late in responding to the notice of hearing. For good cause shown, the presiding officer shall reopen the record and cause further notice of hearing to be issued to all parties of record. The record shall not be reopened if the presiding officer does not find good cause for the party's late response to the notice of hearing.

c. Failure to read or follow the instructions

Since the claimant was available for the hearing, and the facts indicate his answering machine was not working properly, the claimant established good cause to reopen the hearing.

It is Ordered that the claimant's request to reopen this matter is granted. The parties shall receive a hearing notice informing them when another telephone hearing has been scheduled in this matter.

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Debra L. Wise  
Administrative Law Judge

Dated and mailed:

dlw: kjw

Copies to all parties of record.