

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

**JENNIFER R TERROCK**  
Claimant

**APPEAL NO. 09O-UI-15905-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**THE UNIVERSITY OF IOWA**  
Employer

**Original Claim: 07/26/09  
Claimant: Appellant (5)**

Iowa Code section 96.6(2) - Appeals

**STATEMENT OF THE CASE:**

This matter came before the administrative law judge upon an Employment Appeal Board remand in Hearing Number 09B-UI-12560 because the digital recording of the original hearing could not be located. The re-hearing was set for November 30, 2009. Prior to the hearing, the undersigned administrative law judge located the missing hearing record. Re-hearing is not necessary.

**FINDINGS OF FACT:**

Jennifer Terrock had filed an appeal from the August 21, 2009, reference 01, decision that denied benefits. That led to a hearing in Appeal Number 09A-UI-12560-VST on September 16, 2009 and an administrative law judge decision that affirmed the denial of benefits. Ms. Terrock then appealed to the Employment Appeal Board. The Employment Appeal Board remanded this case for rehearing because the digital recording of the original hearing could not be located.

A new hearing was scheduled for November 30, 2009. Prior to the new hearing being held, the undersigned administrative law judge located the missing digital recording of the September 16, 2009 hearing on the Agency's computer network. The record had been mislabeled. In its remand decision, the Employment Appeal Board directed that re-hearing should not occur if the missing digital record was located first. The missing digital record has been located and relabeled with the correct case number.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.6(2) sets forth the appeal procedures. Once an appeal is taken from an administrative law judge decision, the Employment Appeal Board has jurisdiction of the matter. The appropriate record is now available so that the Employment Appeal Board may move forward with the claimant's appeal from the administrative law judge decision entered on September 16, 2009 in Appeal Number 09A-UI-12560-VST. Accordingly, there is no need at this time for a new hearing. The hearing set for November 30, 2009 has been canceled and the parties have been notified.

**DECISION:**

The re-hearing set in this matter is canceled because a lost hearing record has been found. The Employment Appeal Board retains jurisdiction in Appeal Number 09B-UI-12560 and the claimant's appeal to that body may now go forward.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

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