



Here the Employer did not participate in the hearing through no fault of the Employer. The Employer complied with the notice instructions and received a control number. However, due to the administrative law judge's illness, and the Claimant's unavailability to participate, the administrative law judge later made a decision on the record that was adverse to the Employer. The Employer was available to participate, but was not called back. As a result of these circumstances, the Employer was effectively denied due process. For this reason, the matter will be remanded for another hearing before an administrative law judge

**DECISION:**

The decision of the administrative law judge dated November 15, 2012 is not vacated. This matter is remanded to an administrative law judge in the Unemployment Insurance Appeals Bureau. The administrative law judge shall conduct a hearing following due notice. After the hearing, the administrative law judge shall issue a decision which provides the parties appeal rights.

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John A. Peno

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Monique F. Kuester

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Cloyd (Robby) Robinson

AMG/fnv