

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**JACQUELINE D BRYANT
202 ARGYLE CT
BURLINGTON IA 52601-1818**

**APPEAL 20A-UI-14201-DG-T

ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

SERVICE INFORMATION:

A true and correct copy of this decision was mailed to each of the parties listed.

ONLINE RESOURCES:

UI law and administrative rules: <https://www.iowaworkforcedevelopment.gov/unemployment-insurance-law-and-administrative-rules>

UI Benefits Handbook: <https://www.iowaworkforcedevelopment.gov/unemployment-insurance-benefits-handbook-guide-unemployment-insurance-benefits>

Handbook for Employers and forms: <https://www.iowaworkforcedevelopment.gov/employerforms>

Employer account access and information: <https://www.myiowaui.org/UITPTaxWeb/>

National Career Readiness Certificate and Skilled Iowa Initiative: <http://skillediowa.org/>

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JACQUELINE D BRYANT
Claimant

APPEAL 20A-UI-14201-DG-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 08/30/20
Claimant: Appellant (6)**

PL 116-136 Sec 2102 – Pandemic Unemployment Assistance
20 CFR 625 – Disaster Unemployment Assistance
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Code Ch. 96 – Iowa Employment Security Act
Iowa Admin. Code r. 871-24.19(3) – Determination and review of benefit rights
Iowa Admin. Code r. 871-26.8(1) - Withdrawals, dismissals and postponements

STATEMENT OF THE CASE:

The claimant filed an appeal on November 5, 2020, from an October 1, 2020, unemployment insurance decision that denied Pandemic Unemployment Assistance benefits. The claimant then filed another appeal to that same decision on that same date, and a case number was assigned for that appeal in error. A duplicate case number is redundant and unnecessary.

ISSUE:

Should the appeal with this case number in this matter be dismissed?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: On November 5, 2020, the claimant filed an appeal to the unemployment insurance benefits decision that denied Pandemic Unemployment Assistance (PUA) benefits and case number 20A-DUA-00910 was entered. The claimant evidently filed a duplicate appeal and case number 20A-UI-14201 which was entered in error. That duplicate appeal was set up in error and should be dismissed.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-24.19(3) provides:

Determination and review of benefit rights.

Upon receiving a written request for review or, on its own initiative and on the basis of the facts as it may have in its possession or may acquire, the benefits bureau may affirm, modify, or reverse the prior decision, or refer the claim to an administrative law judge.

The claimant or any other party filing the request for review shall be promptly notified of the decision or referral. Unless the claimant or any other party files an appeal within ten days after the date of mailing, the latter decision shall be final, and benefits shall be paid or denied in accordance therewith.

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

Withdrawals, dismissals, and postponements.

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 tape-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 claimant filed duplicate appeals to a single decision that denied Pandemic Unemployment Assistance (PUA) benefits. Only one case number is necessary. As such, the appeal with the incorrect case number (20A-UI-14201) should be dismissed.

The hearing scheduled for January 7, 2021 at 11:35 a.m. is cancelled.

DECISION:

The appeal in this case is dismissed as it was a duplicate appeal and was set up in error. The claimant's appeal from the unemployment insurance benefits decision denying Pandemic Unemployment Assistance (PUA) benefits has been previously adjudicated in appeal number 20-A-DUA-00019-DG-T. That decision has become final. This appeal is dismissed.



Duane L. Golden
Administrative Law Judge

January 25, 2021
Decision Dated and Mailed

dlg/scn