

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

MARIO D HODGES
Claimant

RANDSTAD US LLC
Employer

APPEAL 21A-UI-06368-JC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 10/11/20
Claimant: Appellant (6)

Iowa Code § 96.5(1)j – Voluntary Quitting – Temporary Employment
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Code Ch. 96 – Iowa Employment Security Act
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action
Iowa Admin. Code r. 871-26.11 - Motions
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant/appellant, Mario D. Hodges, filed an appeal from the February 17, 2021 (reference 01) Iowa Workforce Development (“IWD”) unemployment insurance decision that denied benefits effective October 11, 2020. On February 18, 2021, IWD issued a reference 03 decision, which amended the reference 01 decision, reflecting an effective date of June 5, 2020. Claimant timely appealed the reference 03 decision and a hearing was conducted. See 21A-UI-06369-JC-T. The subsequent agency action made the appeal to the reference 01 decision moot and no hearing necessary.

ISSUE:

Should the appeal be dismissed as moot?

FINDINGS OF FACT:

These findings of fact are based on the pertinent agency documents relating to this claimant and his appeal. An unemployment insurance decision dated February 17, 2021 (reference 01) Iowa Workforce Development (“IWD”) unemployment insurance decision denied benefits effective October 11, 2020. The claimant appealed this decision. Before a hearing was held, Iowa Workforce Development issued a subsequent decision to the claimant, dated February 18, 2021 (reference 03) which stated the reference 01 decision was amended by the reference 03 decision, thereby replacing the reference 01 decision. This decision made the issue on appeal moot. The agency scheduled the reference 01 decision for an appeal hearing, which was in error. Claimant timely appealed the reference 03 decision, which was reversed in his favor upon a May 4, 2021 hearing. See 21A-UI-06369-JC-T.

REASONING AND CONCLUSIONS OF LAW:

Generally, courts and administrative tribunals do not decide issues when the underlying controversy is moot. *Rhiner v. State*, 703 N.W.2d 174, 176 (Iowa 2005). "A case is moot if it no longer presents a justiciable controversy because the issues involved are academic or nonexistent." *Iowa Bankers Ass'n v. Iowa Credit Union Dep't*, 335 N.W.2d 439, 442 (Iowa 1983).

The decision appealed was amended, making this appeal to the reference 01 decision moot. The hearing was set up in error. The appeal of the original representative's decision dated February 17, 2021 (reference 01) is dismissed as moot.

DECISION:

The appeal of the original representative's decision dated February 17, 2021 (reference 01) is dismissed as moot.



Jennifer L. Beckman
Administrative Law Judge
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May 13, 2021
Decision Dated and Mailed

jlb/scn