

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RICKY L SCHWEBACK
Claimant

APPEAL NO. 14A-UI-02879-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 01/19/14
Claimant: Appellant (2)

Iowa Code § 96.4(3) – Able and Available
871 IAC 24.2(1)e – Failure to Report

STATEMENT OF THE CASE:

The claimant filed an appeal from the March 6, 2014, (reference 02) unemployment insurance decision that denied benefits based upon the claimant's failure to report as directed. Prior to the hearing being held, the agency issued a new decision reversing the claimant's denial of benefits. Based upon the subsequent agency action, no hearing was held.

ISSUE:

Is the claimant able to and available for work?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The representative's decision the claimant appealed from dated March 6, 2014 reference 02 denied benefits effective March 2, 2014. In a representative's decision dated March 20, 2014, reference 03, the agency reversed that denial and allowed benefits effective March 2, 2014.

REASONING AND CONCLUSIONS OF LAW:

Inasmuch as the agency reversed the prior disqualification prior to the hearing, there is no issue for the administrative law judge to adjudicate.

DECISION:

The representative's decision dated March 6, 2014, reference 02, is reversed so as to be consistent with the subsequent agency action. Benefits are allowed, provided the claimant is otherwise eligible.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/pjs