

**BEFORE THE
EMPLOYMENT APPEAL BOARD
Lucas State Office Building
Fourth floor
Des Moines, Iowa 50319**

KATLEN B NEAL	:	
	:	HEARING NUMBER: 21B-UI-02454
Claimant	:	
	:	
and	:	EMPLOYMENT APPEAL BOARD
	:	DECISION
HAND IN HAND DAYCARE	:	
	:	
Employer	:	

NOTICE

THIS DECISION BECOMES FINAL unless (1) a **request for a REHEARING** is filed with the Employment Appeal Board within **20 days** of the date of the Board's decision or, (2) a **PETITION TO DISTRICT COURT IS FILED WITHIN 30 days** of the date of the Board's decision.

A **REHEARING REQUEST** shall state the specific grounds and relief sought. If the rehearing request is denied, a petition may be filed in **DISTRICT COURT** within **30 days** of the date of the denial.

SECTION: 96.5-2-A, 96.5-1

DECISION

UNEMPLOYMENT BENEFITS ARE ALLOWED IF OTHERWISE ELIGIBLE

The Employer appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds the administrative law judge's decision is correct. The administrative law judge's Findings of Fact and Reasoning and Conclusions of Law are adopted by the Board as its own. The administrative law judge's decision is **AFFIRMED**.

The Employer submitted additional evidence to the Board which was not contained in the administrative file and which was not submitted to the administrative law judge. While the additional evidence was reviewed for the purposes of determining whether admission of the evidence was warranted despite it not being presented at hearing, the Employment Appeal Board, in its discretion, finds that the admission of the additional evidence is not warranted in reaching today's decision. There is no sufficient cause why the new and additional information submitted was not presented at hearing. Accordingly none of the new and additional information submitted has been relied upon in making our decision, and none of it has received any weight whatsoever, but rather all of it has been wholly disregarded.

The Employer has requested this matter be remanded for a new hearing. The Employment Appeal Board finds the applicant did not provide good cause to remand this matter. In particular the Employer asserts that "When using the online portal and entering in the case number, (21A-UI-02454-DZ) the website said there was no scheduled hearing." We take official notice of the fact that the website for entering in hearing numbers

in order to register, used by Iowa Workforce Development, specifically instructs “To register for the hearing, use the appeal number from the hearing notice. Enter the appeal number without spaces **or the final characters**. For example, 14A-UI -12345-Z-T would be entered 14A-UI-12345.”

<https://ia.c2tinc.com/register/register.php>. We also take notice that entering the final characters, as Employer asserts that it did, would generate the error message the Employer reports. We need not give notice to these parties that we intend to take this notice since “fairness to the parties does not require an opportunity to contest such facts.” Iowa Code §17A.14. Furthermore, the agency is allowed to rely on “[t]he agency’s experience, technical competence, and specialized knowledge...” when evaluating the evidence. Iowa Code §17A.14(5). The request for a remand is denied.

James M. Strohman

Ashley R. Koopmans

Myron R. Linn

RRA/fnv