

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MARK W SCHWARTING**  
Claimant

**APPEAL NO. 11A-UI-14468-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**MRF SALES & LEASING INC**  
Employer

**OC: 10/09/11  
Claimant: Respondent (5)**

Section 96.4(3) – Able & Available  
Section 96.6 – Aggrieved Party Required

**STATEMENT OF THE CASE:**

The *employer* filed a timely appeal from the October 27, 2011, reference 01, decision that denied benefits to the claimant and relieved the employer of charges for benefits. A hearing was set for December 2, 2011, and the parties were properly notified by notice mailed on November 9, 2011. The employer provided a telephone for the hearing number in response to the hearing notice. The claimant did not respond to the hearing notice. Upon review of the administrative file, the administrative law judge concludes that an appeal hearing is not necessary or appropriate.

**ISSUE:**

Whether the employer is aggrieved by the October 27, 2011, reference 01, decision.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: October 27, 2011, a Workforce Development representative entered an October 27, 2011, reference 01, decision that denied benefits to the claimant and that relieved the employer of charges for benefits paid to the claimant. The claimant did not appeal the decision denying benefits. Though the decision had been in the employer's favor, the employer filed an appeal on November 4, 2011.

**REASONING AND CONCLUSIONS OF LAW:**

The appeal rights and procedures set forth at Iowa Code section 96.6 presupposes and requires the existence of an aggrieved party. The employer is not an aggrieved party in connection with the Claims representative's October 27, 2011, reference 01, decision that denied benefits to the claimant and that relieved the employer of liability for any benefits disbursed to the claimant. The employer has received all remedy available under the law in connection with this matter. The administrative law judge concludes the appeal should be dismissed.

**DECISION:**

The employer's appeal from the Agency representative's October 27, 2011, reference 01 is dismissed because the employer is not an aggrieved party. The Agency representative's decision will remain in effect.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

jet/kjw