

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**STEVEN R WARNKE**  
Claimant

**APPEAL NO. 08A-UI-10627-H2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ATWOOD MOBILE PRODUCTS LLC**  
Employer

**OC: 09-21-08 R: 04**  
**Claimant: Appellant (2)**

Section 96.3-5 – Layoff Due to Business Closing

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the November 7, 2008, reference 01, decision that denied the claimant's request to recalculate her due to a business closing. After due notice was issued, a hearing was scheduled to be held on December 2, 2008. Because of subsequent agency action, the hearing was not necessary.

**ISSUE:**

Should the claimant's benefits be recalculated due to a business closing?

**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 November 7, 2008 reference 01 denied claimant's request to recalculate her benefits due to a business closing. In a representative's decision dated November 12, 2008, reference 02 amending reference 01, the agency reversed that denial and allowed recalculation of the claimant's unemployment insurance benefits.

**REASONING AND CONCLUSIONS OF LAW:**

Inasmuch as the agency reversed the prior refusal to recalculate the claimant's benefits, there is no issue for the administrative law judge to adjudicate.

**DECISION:**

The representative's decision dated November 7, 2008, reference 01 is reversed so as to be consistent with the subsequent agency action. Recalculation of benefits due to a business closing is allowed.

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Teresa K. Hillary  
Administrative Law Judge

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Decision Dated and Mailed

tkh/pjs