

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ELIZABETH BARTELS
Claimant

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

APPEAL 22A-UI-00642-SN-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 06/27/21
Claimant: Appellant (6)**

Iowa Code § 96.4(3) – Available for work
Iowa Code § 96.4(7) – Reemployment services
Iowa Admin. Code r. 871-24.6 – Profiling for reemployment services
Iowa Admin. Code r. 871-24.2(1)e – Procedures for workers desiring to file a claim for benefits
Iowa Admin. Code r. 871-24.23 (11) – Failure to Report
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal
Iowa Admin. Code r. 871-26.11 - Motions

STATEMENT OF THE CASE:

The claimant/appellant, Elizabeth Bartels, filed an appeal from the November 22, 2021, (reference 05) Iowa Workforce Development (“IWD”) unemployment insurance decision that denied benefits because claimant failed to report or complete requirements for a reemployment services appointment. A telephone hearing was scheduled on January 27, 2022 at 9:00 a.m. Before the hearing date, the claimant received a favorable decision from Iowa Workforce Development, dated January 22, 2022, reference 08. Because the issue appealed was resolved administratively prior to the hearing in the appellant’s favor (see the reference 03 representative’s decision), no testimony was necessary and no hearing was held.

ISSUES:

Should the most recent unemployment insurance decision be affirmed?
Should the appeal be dismissed as moot?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant/appellant filed an appeal from the unemployment insurance decision dated November 22, 2021, (reference 05), denying unemployment insurance benefits effective November 21, 2021, when claimant failed to appear at a reemployment services appointment.

A telephone hearing was scheduled for this appeal on January 27, 2022 at 9:00 a.m. Before the hearing date, the claimant received a favorable decision from Iowa Workforce Development, dated January 22, 2022, reference 08. The decision dated January 22, 2022, reference 08, specifically stated that claimant had satisfied the requirements to be eligible for benefits as it

related to the reemployment services program and benefits were allowed effective November 21, 2021.

This most recent decision made the only issue on appeal moot.

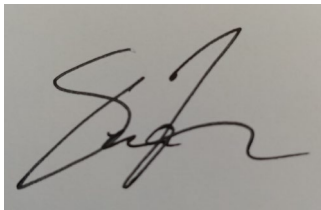
REASONING AND CONCLUSIONS OF LAW:

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)

Since the decision appealed has been amended in favor of the appellant, the original representative's decision bearing reference 05 is reversed.

DECISION:

The request to dismiss the appeal of the unemployment insurance decision dated November 22, 2021, (reference 05), is approved. The decision issued on January 22, 2022, reference 08, is affirmed. The appeal is dismissed as moot.



Sean M. Nelson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
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Fax (515) 725-9067

February 24, 2022
Decision Dated and Mailed

smn/scn