

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JANE R WICKLER
Claimant

APPEAL NO. 09O-UI-11972-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

SHOPKO STORES OPERATING CO LLC
SHOPKO
Employer

OC: 02/10/08
Claimant: Appellant (6-R)

Iowa Code Section 96.4(3) – Able & Available
Iowa Code Section 10A.601(4) – Employment Appeal Board Remand

STATEMENT OF THE CASE:

This matter was erroneously set for hearing before the Appeals Section after an Employment Appeal Board remand *to the Claims Division* on the issue of whether the claimant is able to work and available for work under Iowa Code section 96.4(3). Pursuant to the remand order, this matter should first be addressed by the Claims Division at Workforce Development. The parties will have appeal rights in connection with those proceedings.

DECISION:

The hearing currently set before the Appeals Section for hearing on September 3, 2009 is cancelled. The matter pending before the Appeals Section is dismissed so that the Employment Appeal Board remand *to the Claims Division* may proceed before that Division.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/pjs