

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**SUSAN A BASHOR**  
Claimant

**APPEAL 18A-UI-04652-JP-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ASSISTED LIVING CONCEPTS LLC**  
Employer

**OC: 03/04/18  
Claimant: Respondent (6)**

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Iowa Code Ch. 17A – Iowa Administrative Procedure Act  
Iowa Code Ch. 96 – Iowa Employment Security Act

**STATEMENT OF THE CASE:**

An appeal was set up from a representative decision dated April 5, 2018 (reference 03) that found claimant was denied benefits from March 4, 2018 through March 17, 2018. The appeal letter was for a different decision and this appeal was mistakenly set up in error. An appeal hearing (appeal number 18A-UI-04981-JP-T) has now been scheduled for May 9, 2018 at 1:05 p.m. for the unemployment insurance decision (decision dated April 10, 2018 (reference 05)) that the appeal letter was submitted by the employer for.

**ISSUE:**

Should the appeal in this matter be dismissed?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds:

The employer forwarded an appeal letter dated April 18, 2018 intending to appeal a representative's decision dated April 10, 2018 (reference 05) regarding claimant's separation from employment. An appeal hearing (appeal number 18A-UI-04981-JP-T) has now been scheduled for May 9, 2018 at 1:05 p.m. for the unemployment insurance decision (decision dated April 10, 2018 (reference 05)) that the appeal letter was submitted by the employer for.

The appeal from the representative decision dated April 5, 2018 (reference 03) was set up in error as 18A-UI-04652-JP-T. No party has submitted an appeal regarding this decision (April 5, 2018 (reference 03)). Appeal number 18A-UI-04652-JP-T that was set for May 9, 2018 at 1:00 p.m. is cancelled; however, appeal number 18A-UI-04981-JP-T remains set for May 9, 2018 at 1:05 p.m.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code § 96.6(2) provides that a party to a representative's decision must appeal that decision with ten days of the mailing of the decision. No party to the representative's decision

filed an appeal. The appeal letter submitted was for a different decision and this appeal was mistakenly set up in error. As such, the appeal in this matter should be dismissed.

**Appeal number 18A-UI-04981-JP-T remains set for May 9, 2018 at 1:05 p.m. The parties must follow the instructions to register a telephone number to participate in the hearing on May 9, 2018 at 1:05 p.m. by contacting the Iowa Workforce Development Appeals Bureau at 1-800-532-1483 (if calling from the state of Iowa) or 1-800-247-5205 (if calling from outside the state of Iowa), and be available for the administrative law judge to call the parties on May 9, 2018 at 1:05 p.m.**

**DECISION:**

The appeal in this matter is dismissed. The representative decision dated April 5, 2018 (reference 03) shall remain in full force and effect. The hearing for appeal number 18A-UI-04652-JP-T is cancelled. **The parties are reminded that appeal number 18A-UI-04981-JP-T remains set for May 9, 2018 at 1:05 p.m.**

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Jeremy Peterson  
Administrative Law Judge

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Decision Dated and Mailed

jp/rvs