

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RENEE MCCLAIN
Claimant

APPEAL NO: 06A-UI-08668-BT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TASKE FORCE INC
Employer

**OC: 02/19/06 R: 04
Claimant: Appellant (6)**

871 IAC 24.9(2) - Nonmonetary determinations
871 IAC 26.2 - Dismissed – Not a Contested Case

STATEMENT OF THE CASE:

Renee McClain (claimant) appealed an unemployment insurance decision dated August 18, 2006, reference 01, which held that she was not eligible for unemployment insurance benefits because she voluntarily quit her employment with Taske Force, Inc. (employer) without good cause attributable to the employer. Before a hearing could be held, the Agency granted the relief requested by the claimant by issuing a subsequent decision holding the August 18, 2006 decision null and void. Under these circumstances, no hearing is necessary. Based on the subsequent decision that amended reference 01, the administrative record, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

The issue to be determined is whether a hearing in this matter is necessary.

FINDINGS OF FACT:

The administrative law judge, having reviewed and considered all of the evidence in the record, finds that: The decision from which the claimant has appealed has been rendered null and void by a subsequent fact-finding decision issued August 31, 2006.

REASONING AND CONCLUSIONS OF LAW:

The question is whether a hearing in this matter is necessary. It is not because the claimant has received the relief she requested in her appeal. A contested case includes any appeal from a determination that affects an employer's liability. 871 IAC 26.2. In this case, the August 18, 2006 decision the employer appealed from was later amended and considered null and void by the Department. As a result of the later decision that amended reference 01, there are no issues to be adjudicated in this matter. This matter is therefore dismissed.

DECISION:

The unemployment insurance decision dated August 18, 2006, reference 01, is null and void. No disqualification is imposed on the claimant, and no charges shall be made to the account of this employer.

Susan D. Ackerman
Administrative Law Judge

Decision Dated and Mailed

sda/pjs