

**IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI**

**CONNIE WESSELS  
PO BOX 141  
OSKALOOSA IA 52577-0141**

**PLEASANT PARK ESTATES INC  
C/o CLARICE WRIGHT  
2089 – 270<sup>TH</sup> ST  
OSKALOOSA IA 52577**

**CRYSTAL PROPERTIES  
2900 WESTOWN PKWY  
WEST DES MOINES IA 50266**

**Appeal Number: 06A-UI-04708-AT  
OC: 10/23/05 R: 03  
Claimant: Appellant (1)**

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

---

(Administrative Law Judge)

---

(Decision Dated & Mailed)

Section 96.6-2 – Timely Appeal

STATEMENT OF THE CASE:

An appeal was filed by Pleasant Park Estates, Inc. from an unemployment insurance decision dated December 29, 2005, reference 01, involving the unemployment insurance claim of Connie Wessels. The decision disqualified Ms. Wessels for benefits. Due notice was issued for a telephone hearing to be held June 1, 2006. Neither party responded to the notice.

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: The fact-finding decision at issue in this case became final on January 9, 2006. The appeal sent in by the employer was not filed until March 21, 2006.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the administrative law judge has jurisdiction to rule on the merits of this case. He does not.

Iowa Code section 96.6-2 gives parties ten days from the date of a fact-finding decision to file an appeal. The Supreme Court of Iowa has ruled that the time limit in the statute is jurisdictional. Since neither party filed an appeal within the time limits set by statute, the administrative law judge has no authority to review the merits of the case.

DECISION:

The unemployment insurance decision dated December 29, 2005, reference 01, has become final. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

cs/pjs