

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

LATANZA L ROBERTS

Claimant

APPEAL NO. 15A-UI-07527-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

THOMAS L CARDELLA & ASSOCIATES INC

Employer

OC: 06/07/15

Claimant: Appellant (6)

Iowa Code Section 96.6 – Aggrieved Party Requirement

STATEMENT OF THE CASE:

LaTanza Roberts filed a timely appeal from the July 1, 2015, reference 05, decision that allowed benefits to her provided she was otherwise eligible and that held the employer's account could be charged for benefits, based on an Agency conclusion that Ms. Roberts had been discharged on October 2, 2014 for no disqualifying reason. A hearing was set for August 11, 2015 and the parties were properly notified. Ms. Roberts appeared. Barbara Tony of Equifax and Kristi Schropp of Thomas L. Cardella & Associates, Inc., also appeared. After a brief discussion with Ms. Roberts, the administrative law judge determined there was no basis for the appeal and that the appeal should be dismissed.

ISSUES:

Whether the claimant is an aggrieved party for purposes of the July 1, 2015, reference 05, decision.

Whether the claimant's appeal should be dismissed.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: On July 1, 2015, a Workforce Development claims deputy entered a reference 05 decision that allowed benefits to her provided she was otherwise eligible and that held the employer's account could be charged for benefits, based on an Agency conclusion that Ms. Roberts had been discharged on October 2, 2014 for no disqualifying reason. On July 1, 2015, Ms. Roberts filed an appeal from the decision. The employer was aggrieved by the decision, but did not file an appeal from the decision.

REASONING AND CONCLUSIONS OF LAW:

The appeal rights and procedures set forth at Iowa Code section 96.6 presupposes and requires the existence of an aggrieved party. Ms. Roberts is not an aggrieved party for purposes of the July 1, 2015, reference 05, decision because it allowed benefits to her provided she was otherwise eligible based on an Agency conclusion that Ms. Roberts had been discharged on

October 2, 2014 for no disqualifying reason. In other words, there is no further remedy the administrative law judge can provide to Ms. Roberts in connection with her appeal from the reference 05 decision because the decision already provides all remedy available under the law. Because Ms. Roberts is not aggrieved by the decision, there is no basis for the appeal, and the appeal should be dismissed.

DECISION:

The claimant is not aggrieved by the July 1, 2015, reference 05, decision that allowed benefits to her provided she was otherwise eligible and that held the employer's account could be charged for benefits, based on an Agency conclusion that the claimant had been discharged on October 2, 2014 for no disqualifying reason. The claimant's appeal is hereby dismissed. The July 1, 2015, reference 05, decision remains in effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/pjs