

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CAROL M BUTIKOFER
Claimant

APPEAL NO. 08A-UI-10569-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

ATWOOD MOBILE PRODUCTS LLC
Employer

OC: 09-07-08 R: 04
Claimant: Appellant (2)

Section 96.3-5 – Layoff Due to Business Closing

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the November 7, 2008, reference 01, decision that denied the claimant's request to recalculate her benefits due to a business closing. After due notice was issued, a hearing was scheduled to be held on December 1, 2008. Because of subsequent agency action, the hearing was not necessary.

ISSUE:

Should the claimant's benefits be recalculated due to a business closing?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The representative's decision the claimant appealed from dated November 7, 2008, reference 01, denied claimant's request to recalculate her benefits due to a business closing. In a representative's decision dated November 12, 2008, reference 02, amending reference 01, the agency reversed that denial and allowed recalculation of the claimant's unemployment insurance benefits.

REASONING AND CONCLUSIONS OF LAW:

Inasmuch as the agency reversed the prior refusal to recalculate the claimant's benefits, there is no issue for the administrative law judge to adjudicate.

DECISION:

The representative's decision dated November 7, 2008, reference 01, is reversed so as to be consistent with the subsequent agency action. Recalculation of benefits due to a business closing is allowed.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/kjw