

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

RONALD G GRANT
Claimant

MENARD INC
Employer

APPEAL NO. 20A-UI-07620-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 03/29/20
Claimant: Appellant 6)

Iowa Code Section 96.6 – Aggrieved Party Requirement
Iowa Administrative Code Rule 871-26.8(1) – Dismissal of Appeal, No Aggrieved Party

STATEMENT OF THE CASE:

The *claimant*, Ronald Grant, filed a timely appeal from the June 23, 2020, reference 01, decision that allowed benefits to Mr. Grant beginning March 29, 2020, provided he was otherwise eligible, based on the deputy's conclusion that Mr. Grant was able to work, available for work, but on a short-term layoff. The hearing was set for August 12, 2020 and the parties were appropriately notified. Mr. Grant appeared at the time the hearing. Paul Hammell appeared on behalf of the employer. Christy Long was also present as a prospective witness. Prior to the presentation of evidence, administrative law judge discerned 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 June 23, 2020, reference 01, decision.

Whether the appeal should be dismissed.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Ronald Grant filed a timely appeal from the June 23, 2020, reference 01, decision that allowed benefits to Mr. Grant beginning March 29, 2020, provided he was otherwise eligible, based on the deputy's conclusion that Mr. Grant was able to work, available for work, but on a short-term layoff. The decision Mr. Grant appeal from was in his favor. The Appeals Bureau erroneously docketed an *employer* appeal. The employer had not filed an appeal from the June 23, 2020, reference 01, decision. At the time of the hearing, the administrative law judge asked the employer representative whether the employer had filed an appeal in the employer's representative was unaware of any appeal being filed on behalf of the employer. Mr. Grant's appeal letter was in the administrative file. After brief discussion with the parties, the Administrative Law Judge concluded there is no basis for the appeal and that it should be dismissed. Mr. Grant agreed that there would be no need for him to proceed with an appeal from a decision that was in his favor.

REASONING AND CONCLUSIONS OF LAW:

The appeal rights and procedures set forth at Iowa Code section 96.6 presuppose and require the existence of an aggrieved party.

Iowa Administrative Code rule 871-26.8(1) provides as follows: "An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor."

Because the June 23, 2020, reference 01, decision was in Mr. Grant's favor, Mr. Grant is not aggrieved by the decision and there is no further remedy that would be available to Mr. Grant in connection with an appeal from the decision. The employer did not appeal the decision. Accordingly, there is no basis to proceed further with the appeal. The appeal is dismissed.

DECISION:

The claimant's appeal is dismissed. The June 23, 2020, reference 01, decision that allowed benefits to the claimant beginning March 29, 2020, provided he was otherwise eligible, based on the deputy's conclusion that the claimant was able to work, available for work, but on a short-term layoff, shall stand. The administrative law judge notes the reach of the June 23, 2020, reference 01, decision extends through and terminates with June 6, 2020.



James E. Timberland
Administrative Law Judge

August 19, 2020
Decision Dated and Mailed

jet/scn