

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

RICK L CRAMPTON
Claimant

APPEAL NO. 20A-UI-00223-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 10/20/19
Claimant: Appellant (6)**

Iowa Code Section 96.4(3) – Able & Available
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:

Rick Crampton filed a late appeal from the December 24, 2019, reference 01, decision that denied benefits for the week of November 17-23, 2019, based on an Agency conclusion that Mr. Crampton had reported that he was not ready, willing or able to work during the week in question. A hearing was set for 11:05 a.m. on January 28, 2020 and Mr. Crampton was appropriately notified of the hearing. Mr. Crampton appeared personally and with attorney Joe Basque. Upon review of the Agency administrative file, the administrative law judge concluded that a hearing on this appeal number was not necessary. Based on the Agency's administrative file, including the January 10, 2020, reference 07, decision, the administrative law judge enters the following decision.

ISSUE:

Whether Mr. Crampton is aggrieved by the December 24, 2019, reference 01 decision.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Rick Crampton established an original claim for benefits that was effective October 20, 2019. On December 24, 2019, an Iowa Workforce Development representative entered a reference 01 decision that denied benefits for the week of November 17-23, 2019, based on an Agency conclusion that Mr. Crampton had reported that he was not ready, willing or able to work during the week in question. The present matter concerns Mr. Crampton's late appeal from the reference 01 decision. On January 10, 2020, an Iowa Workforce Development Benefits Bureau deputy entered a reference 07 decision that allowed benefits effective November 17, 2019, provided Mr. Crampton met all other eligibility requirements, based on the deputy's conclusion that Mr. Crampton was indeed available for work effective November 17, 2019. The intent and effect of the reference 07 decision was to reverse the December 24, 2019, reference 01, decision.

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.”

Based on the entry of the January 10, 2020, reference 07, decision, Mr. Crampton has received all remedy that would have been available in connection with his appeal from the December 24, 2019, reference 01, decision. Because Mr. Crampton is no longer aggrieved by the decision that was the basis for the appeal in this matter, there is no longer a basis for the appeal. Accordingly, the appeal in this matter is dismissed.

DECISION:

In light of the January 10, 2020, reference 07, decision that effectively reversed the December 24, 2019, reference 01, the claimant is not aggrieved by the earlier decision and the appeal in this matter is dismissed.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/scn