

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**NIKITA G BOOTS**  
Claimant

**APPEAL 21A-UI-05401-DZ-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**KARDES INC**  
Employer

**OC: 11/15/20  
Claimant: Appellant (6)**

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Iowa Code § 96.6(2) – Timely Appeal  
Iowa Code § 96.5(2)a – Discharge for Misconduct  
Iowa Code § 96.5(1) – Voluntary Quit  
Iowa Code Ch. 17A – Iowa Administrative Procedure Act  
Iowa Code Ch. 96 – Iowa Employment Security Act

**STATEMENT OF THE CASE:**

An appeal was set up from the representative's decision dated January 13, 2020 (reference 01) that found Ms. Boots was not eligible for REGULAR unemployment insurance benefits. Ms. Boots' appeal letter was for the February 6, 2021 decision that determined she was not eligible for Pandemic Unemployment Assistance (PUA) benefits. This appeal was mistakenly set up in error.

**ISSUES:**

Should the appeal be dismissed because it was set up in error?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Boots filed an appeal online on February 11, 2021 intending to appeal the representative's decision dated February 6, 2021 that denied Pandemic Unemployment Assistance (PUA) benefits. The agency set up the appeal for the incorrect representative's decision. The appeal should be dismissed.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code § 96.6(2) provides that a party to a representative's decision must appeal that decision with ten days of the mailing of the decision. No party to the representative's January 13, 2021 (reference 01) decision filed an appeal. The appeal letter submitted was for the February 6, 2021 decision that denied PUA benefits and this appeal was mistakenly set up in error. As such, the appeal in this matter should be dismissed.

**DECISION:**

The appeal in this matter is dismissed. The representative decision dated January 23, 2021 (reference 01) shall remain in full force and effect.



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Daniel Zeno  
Administrative Law Judge  
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April 27, 2021  
Decision Dated and Mailed

dz/ol