

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ROBERT J DINWIDDIE
Claimant

APPEAL NO. 14A-UI-03914-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 03/09/14
Claimant: Appellant (2)

Iowa Code § 96.4(3) – Able and Available

STATEMENT OF THE CASE:

The claimant filed an appeal from the April 8, 2014, (reference 02) unemployment insurance decision that denied benefits. After due notice was issued but prior to a hearing being held, the agency issued a new decision allowing benefits.

ISSUE:

Should the representative's decision be reversed in light of subsequent agency action?

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 April 8, 2014, reference 02, that denied benefits effective March 30, 2014. In a representative's decision dated April 23, 2014, reference 03 amending reference 02, the agency reversed that denial and allowed benefits effective March 30, 2014.

REASONING AND CONCLUSIONS OF LAW:

Inasmuch as the agency reversed the prior disqualification prior to the hearing, there is no issue for the administrative law judge to adjudicate.

DECISION:

The representative's decision dated April 8, 2014, reference 02, is reversed so as to be consistent with the subsequent agency action. Benefits are allowed, provided the claimant is otherwise eligible.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/css