

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

NANCY L JACOBY
Claimant

APPEAL 21A-UI-16533-LJ-T
ADMINISTRATIVE LAW JUDGE
DECISION

IOWA CATHOLIC CONFERENCE

OC: 05/10/20
Claimant: Appellant (6)

Iowa Code § 96.19(38) – Total, Partial, and Temporary Unemployment
Iowa Code § 96.4(3) – Ability to and Availability for Work
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action
Iowa Admin. Code r. 871-26.11 - Motions

STATEMENT OF THE CASE:

The claimant, Nancy L. Jacoby, filed an appeal from the unemployment insurance decision dated January 14, 2021 (reference 03), that she was not eligible for unemployment insurance benefits as of May 10, 2020, because she was still employed at the same hours and wages as contemplated in her contract of hire with Iowa Catholic Conference. Before a hearing was held, Iowa Workforce Development issued a favorable decision to the claimant, dated January 16, 2021 (reference 08), stating that the prior decision was entered in error and is now declared null and void. This decision made the issue on appeal moot. Therefore, no testimony or additional evidence was necessary. No hearing was scheduled or held.

ISSUES:

Should the most recent unemployment insurance decision be affirmed?
Should the appeal be dismissed as moot?

FINDINGS OF FACT:

These findings of fact are based on the pertinent agency documents relating to this claimant and his appeal. An unemployment insurance decision dated January 14, 2021 (reference 03), determined that the claimant was not eligible for unemployment insurance benefits as of May 10, 2020, because she was still employed at the same hours and wages as contemplated in her contract of hire with Iowa Catholic Conference. The claimant appealed this decision. Before a hearing was held, Iowa Workforce Development issued a favorable decision to the claimant, dated January 16, 2021 (reference 08), stating that the decision of the representative dated January 14, 2021 (reference 03) was entered in error. The decision dated January 16, 2021 (reference 08), stated the prior (reference 03) decision is now declared null and void. This decision rendered the appeal moot.

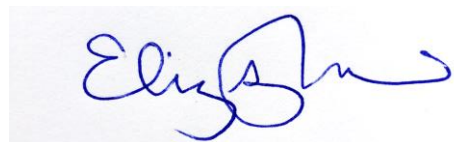
REASONING AND CONCLUSIONS OF LAW:

Generally, courts and administrative tribunals do not decide issues when the underlying controversy is moot. *Rhiner v. State*, 703 N.W.2d 174, 176 (Iowa 2005). “A case is moot if it no longer presents a justiciable controversy because the issues involved are academic or nonexistent.” *Iowa Bankers Ass’n v. Iowa Credit Union Dep’t*, 335 N.W.2d 439, 442 (Iowa 1983)

The decision appealed was declared null and void, making this appeal moot. The appeal of the original representative’s decision dated January 14, 2021 (reference 03) is dismissed.

DECISION:

The request to dismiss the appeal of the unemployment insurance decision dated January 14, 2021 (reference 03) is approved. The appeal is dismissed as moot.



Elizabeth A. Johnson
Administrative Law Judge

September 08, 2021
Decision Dated and Mailed

lj/mn