



Department of Inspections,
Appeals, & Licensing

Iowa Department of Inspections, Appeals, & Licensing
Administrative Hearings Division
6200 Park Avenue, Suite 100, East Entrance
Des Moines, IA 50321-1270

Appeal Decision

Claim Number:
[REDACTED]

Determination Number:
7409665

Appeal Filed By:
KAEDIN JAYNES

Appeal Filed Date:
10/15/2025

Appeals Bureau Docket:
2025148299-AT

[REDACTED]

APPEALS BUREAU DECISION OF ADMINISTRATIVE LAW JUDGE

Mail Date: January 7, 2026

Appellant

Claimant/Job Seeker: KAEDIN JAYNES

Claimant address: [REDACTED]

Social Security Number: [REDACTED]

Appellee

Employer: Shearer's Foods Burlington, Llc

[REDACTED]

In regard to the appeal by KAEDIN JAYNES:

STATUTORY REFERENCE

Iowa Code Section 96.6(2) - Timeliness of Appeal

Iowa Code Section 96.3(7) - Overpayment

ISSUES STATEMENT

Whether the claimant's appeal was timely.

CASE HISTORY

On October 15, 2025, Kaedin Jaynes (claimant) filed a late appeal from the October 3, 2025 (mail date) Overpaid Account Establishment Notice (overpayment decision) that held he was overpaid \$5,577.00 in unemployment insurance benefits for the period of May 18, 2025 to August 2, 2025. The decision stated the overpayment was based on an IWD determination that the claimant voluntarily quit on May 8, 2025 without good cause attributable to the employer. After appropriate notice to the parties, a hearing was held on January 6, 2026. The claimant participated. The employer did not comply with the hearing notice instructions to call the designated toll-free number at the time of the hearing and did not participate. Exhibit A was received into evidence. The administrative law judge took official notice of the following agency administrative records: the October 3, 2025 (mail date) Disqualifying Separation Determination, the October 3, 2025 (mail

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date) Overpaid Account Establishment Notice (overpayment decision), the Payment Summary, the Payment Detail, the Preferred Notification Method, the Correspondence, and the Appeable Determinations (decision docketing record).

FINDINGS OF FACT

Having considered all of the evidence in the record, the administrative law judge finds as follows:

Kaedin Jaynes (claimant) established an original claim for unemployment insurance benefits that was effective May 18, 2025. At the time the claimant established the claim for benefits, he provided IWD a Chicago mailing address, and a cell phone number. The claimant has continued to reside at the same Chicago resident, his aunt's home, up to the present.

In connection with IWD's June 3, 2025 launch of its revised IowaWORKS.gov website, the claimant elected through his IowaWORKS.gov account to receive notice of unemployment insurance matters through a text message. The election indicates that text will only be used if the phone in question supports text messaging. On June 3, 2025, IWD sent the claimant a text message at his phone number of record. The message directed the claimant to respond to the text message to authorize further communication through text message. The claimant did not respond. In the absence of response from the claimant, IWD defaulted to mailing decisions and notices to the claimant at his address of record. Under the revised IowaWORKS.gov platform, a copy of notices and decisions were also posted to the claimant's IowaWORKS.gov account. Because claimant did not respond to the June 3, 2025 text message from IWD, IWD did not thereafter send text messages to the claimant.

On October 3, 2025, IWD mailed two decisions to the claimant at his Chicago address of record. These included the October 3, 2025 Disqualifying Separation Determination and the October 3, 2025 Overpayment Account Establishment Notice (overpayment decision). The claimant received both mailed decisions in a timely manner, prior to the deadline for appeal. Each decision stated that the decision would become final unless an appeal was postmarked by October 13, 2025 or was received by the Appeals Bureau by that date. Each decision included instructions for filing an appeal online, by email and by postal mail. The claimant reviewed the decisions and saw that he still have time at that point to appeal by the October 13, 2025 deadline. When the claimant received and reviewed the mailed decisions, he accessed his IowaWORKS.gov account and saw the same October 3, 2025 (mailing date) decisions, which IWD had posted to his account on October 2, 2025. The claimant was busy at the time and elected to wait to file an appeal.

On October 15, 2025, the claimant completed and transmitted an online appeal from the October 3, 2025 overpayment decision. The claimant did not submit an appeal specific to the disqualification decision. The Appeals Bureau received the appeal from the overpayment decision on October 15, 2025.

CONCLUSION OF LAW

Iowa Code section 96.6(2) in relevant part as provides:

2. Initial determination. A representative designated by the director shall promptly notify all interested parties to the claim of its filing, and the parties have ten days from the date of mailing the notice of the filing of the claim by ordinary mail to the last known address to protest payment of benefits to the claimant. ... Unless the claimant or other interested party, after notification or within ten calendar days after notification was mailed to the claimant's last known address, files an appeal from the decision, the decision is final and benefits shall be paid or denied in accordance with the decision. ...



The ten-day deadline for appeal begins to run on the date Workforce Development mails the decision to the parties. The "decision date" found in the upper right-hand portion of the Agency representative's decision, unless otherwise corrected immediately below that entry, is presumptive evidence of the date of mailing. *Gaskins v. Unempl. Comp. Bd. of Rev.*, 429 A.2d 138 (Pa. Comm. 1981); *Johnson v. Board of Adjustment*, 239 N.W.2d 873, 92 A.L.R.3d 304 (Iowa 1976).

An appeal submitted by mail is deemed filed on the date it is mailed as shown by the postmark or in the absence of a postmark the postage meter mark of the envelope in which it was received, or if not postmarked or postage meter marked or if the mark is illegible, on the date entered on the document as the date of completion. See Iowa Administrative Code rule 871-24.27(1)(a). See also *Messina v. IDJS*, 341 N.W.2d 52 (Iowa 1983). An appeal submitted by any other means is deemed filed on the date it is received by the Unemployment Insurance Division of Iowa Workforce Development. See Iowa Administrative Code rule 871-24.27(1)(c).

The evidence in the record establishes that more than ten calendar days elapsed between the October 3, 2025 overpayment decision mailing date and the October 15, 2025 appeal. The Iowa Supreme Court has declared that there is a mandatory duty to file appeals from representatives' decisions within the time allotted by statute, and that the administrative law judge has no authority to change the decision of a representative if a timely appeal is not filed. *Franklin v. IDJS*, 277 N.W.2d 877, 881 (Iowa 1979). Compliance with appeal notice provisions is jurisdictional unless the facts of a case show that the notice was invalid. *Beardslee v. IDJS*, 276 N.W.2d 373, 377 (Iowa 1979); see also *In re Appeal of Elliott*, 319 N.W.2d 244, 247 (Iowa 1982). One question in this case thus becomes whether the appellant was deprived of a reasonable opportunity to assert an appeal in a timely fashion. *Hendren v. IESC*, 217 N.W.2d 255 (Iowa 1974); *Smith v. IESC*, 212 N.W.2d 471, 472 (Iowa 1973).

No submission shall be considered timely if the delay in filing was unreasonable, as determined by the division after considering the circumstances in the case. See Iowa Administrative Code rule 871-24.27(2)(c).

The evidence in the record establishes an untimely appeal from the October 3, 2025 overpayment decision. The claimant received the mailed decision in a timely manner. The claimant had a reasonable opportunity to file an appeal by the October 13, 2025 appeal deadline set forth on the decision. The claimant elected to wait until October 15, 2025--two after the appeal deadline--to file the appeal. Because the claimant had reasonable opportunity to file a timely appeal, and because the late filing of the appeal was not attributable to IWD error or misinformation or to delay or other action of the United States Postal Service, there is not good cause to treat the late appeal as a timely appeal. See Iowa Administrative Code rule 871-24.27(2). Because the appeal was untimely, the administrative law judge lacks jurisdiction to disturb October 3, 2025 overpayment decision. See *Beardslee v. IDJS*, 276 N.W.2d 373 (Iowa 1979) and *Franklin v. IDJS*, 277 N.W.2d 877 (Iowa 1979).

DECISION/REMAND

The claimant's appeal from the October 3, 2025 Overpaid Account Establishment Notice (overpayment decision) was untimely. Accordingly, the decision that held the claimant was overpaid \$5,577.00 in unemployment insurance benefits for the period of May 18, 2025 to August 2, 2025 remains in effect.



James E. Timberland

James TIMBERLAND

Administrative Law Judge

Iowa Department of Inspections, Appeals, & Licensing

Administrative Hearings Division

Unemployment Insurance Appeals Bureau

Please see the last page of this document for important information about reopening the appeal and further appeal rights.



INSTRUCTIONS FOR FILING AN APPEAL

If you disagree with the decision, you or any interested party may:

1. Appeal to the Employment Appeal Board within fifteen (15) days of the date under the judge's signature by submitting a written appeal via mail, fax, or online to:

Employment Appeal Board
6200 Park Avenue Suite 100
Des Moines, IA 50321
Fax: (515)281-7191
Online: IowaWORKS account

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

AN APPEAL TO THE BOARD SHALL STATE CLEARLY:

1. A reference to the decision from which the appeal is taken.
2. That an appeal from such decision is being made and such appeal is signed.
3. The grounds upon which such appeal is based.

An Employment Appeal Board decision is final agency action. If a party disagrees with the Employment Appeal Board decision, they may then file a petition for judicial review in district court.

2. If no one files an appeal of the judge's decision with the Employment Appeal Board within fifteen (15) days, the decision becomes final agency action, and you have the option to file a petition for judicial review in District Court within thirty (30) days after the decision becomes final. Additional information on how to file a petition can be found at Iowa Code 17A.19, which is online at <https://www.legis.iowa.gov/docs/code/17a.19.pdf> or by contacting the District Court Clerk of Court <https://www.iowacourts.gov/iowa-courts/court-directory/>.

Note to Parties: YOU MAY REPRESENT yourself in the appeal or obtain a lawyer or other interested party to do so provided there is no expense to Iowa Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds.

Note to Claimant: It is important that you file your weekly claim as directed, while the appeal is pending, to protect your continuing right to benefits.

SERVICE INFORMATION:

A true and correct copy of this decision was mailed to each of the parties listed.



Babel Notice – Claim and Appeal Information

Aviso: Aviso: Documento De Beneficios Del Seguro De Desempleo
Y Información De Apelación

IMPORTANT!

This document contains important information about your unemployment compensation rights, responsibilities and/or benefits. It is critical that you understand the information in this document. **DEADLINE FOR APPEAL:** If you disagree with this determination or decision, you must file an appeal before the deadline noted in this document. **IMMEDIATELY:** If needed, call 866-239-0843 for assistance in the translation and understanding of the information in the document(s) you have received.

¡IMPORTANTE!

Este documento contiene información importante sobre sus derechos, obligaciones y/o beneficios de compensación por desempleo. Es muy importante que usted entienda la información contenida en este documento. **PLAZO LÍMITE PARA APELAR:** Si usted está en desacuerdo con esta determinación o decisión, debe presentar una apelación antes del plazo límite indicado en este documento. **INMEDIATAMENTE:** Si necesita asistencia para traducir y entender la información contenida en el documento(s) que recibió, llame al 866-239-0843.

重要提示！

这份文件包含有关失业补偿的权利、责任和/或利益的重要信息。您需要理解本文件中的信息，这一点至关重要。

上诉截止日期：如果您不同意本裁定或决定，您必须在本文件所载截止日期前提出上诉。**立即：**如果需要，请拨打866-239-0843，可获得帮助，以利您翻译和理解所收到的文件中的信息。

IMPORTANT!

Ce document contient des informations importantes sur vos droits d'allocation de chômage, vos responsabilités et/ou vos bénéfices. Il est indispensable que vous compreniez le contenu de ce document. **DATE LIMITE POUR FAIRE APPEL:** Si vous n'êtes pas d'accord avec cette détermination ou décision, vous devrez faire un appel avant la date limite signalée dans ce document. **IMMÉDIATEMENT:** Si nécessaire, téléphonez au 866-239-0843 pour avoir de l'assistance sur la traduction et/ou la compréhension de ce document.

WICHTIG!

Diese Dokument enthält wichtige Hinweise zu ihren Rechten, Pflichten bzw. Leistungen im Rahmen der Arbeitslosenunterstützung. Es ist entscheidend, dass Sie die Informationen in diesem Dokument verstehen. **FRIST ZUR BESCHWERDEEINLEGUNG:** Wenn Sie mit der Feststellung oder Entscheidung nicht einverstanden sind, müssen Sie vor Ablauf der in diesem Dokument aufgeführten Frist eine Beschwerde einlegen. **SOFORT:** Sofern erforderlich, rufen Sie die Telefonnummer 866-239-0843 an und erkundigen sich nach Hilfsdiensten bei der Übersetzung und zum Verständnis der Informationen in dem (den) von Ihnen erhaltenen Dokument(en).

IMPORTANTE!

Ang mga dokumentong ito ay naglalaman ng mahalagang impormasyon tungkol sa iyong mga karapatan na makatanggap ng kabayaran, mga responsibilidad at /o benepisyo dahil sa pagkawala ng trabaho. Napakahalagang maunawaan mo ang mga impormasyong nilalaman sa dokumentong ito. **HULING ARAW PARA UMAPILA:** Kung hindi ka sumasang-ayon sa pagpapasiya o desisyon, dapat kang maghabol o magharap ng apila bago dumating ang huling araw na nabanggit sa dokumentong ito. **KAAGAD:** Kung kinakailangan ang tulong, tumawag sa 866-239-0843 para sa pagsasalin ng wika at pag-unawa ng impormasyon sa mga dokumentong natanggap mo.

IMPORTANTE:

Questo documento contiene informazioni importanti sui Suoi diritti di indennizzo di disoccupazione, sulle sue responsabilità e i suoi benefit. E' cruciale che Lei comprenda appieno le informazioni contenute in questo documento. **SCADENZA PER IL RICORSO:** Se non si trova in accordo con questa determinazione o decisione, dovrà presentare ricorso prima della scadenza riportata nel presente documento. **INMEDIATAMENTE:** In caso di necessità chiami il 866-239-0843 per assistenza alla traduzione e comprensione delle informazioni contenute nei documenti ricevuti.

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중요!

이 문서는 실업보상 권리, 책임 및/또는 혜택에 대한 중요한 정보가 포함되어 있습니다. 이 문서에 있는 정보를 이해 하는 것은 매우 중요합니다. **항소 마감:** 이 결정에 이견이 있으시면 항소인은 문서에 언급된 마감일 전에 항소를 제기하셔야 합니다. **즉시:** 받으신 문서의 번역 및 이해를 위해서 도움이 필요하시면 866-239-0843 로연락을 하시기 바랍니다.

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ໝາຍເຫລາສາ

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