

Message: FW: Julie's Case list and Lynette Donner's case list**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:31:59 PM
 Item ID: 40860950
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **FW: Julie's Case list and Lynette Donner's case list**

From Hillary, Teresa [IWD] **Date** Friday, May 31, 2013 2:22 PM
To Wahlert, Teresa [IWD]
Cc

Below is why I am so frustrated by Joe's failure to manage the ALJ'S. As of right now, May 31, neither Julie nor Lynette are caught up on their cases lists.

Thanks much
 Teresa Hillary

From: Hillary, Teresa [IWD]
Sent: Friday, May 31, 2013 2:20 PM
To: Walsh, Joseph [IWD]
Subject: Julie's Case list and Lynette Donner's case list

Joe,

On **May 27, 2013** Julie sent in request to Joni to RS the oldest five cases on her case list. The original hearing dates were October 16, 2012, October 23, 2012, February 21, 2012, March 19, 2012 and May 31, 2012. It took her over ONE YEAR to ask Joni to RS one of these cases. This is why in my note to you about how to fix the backlog, I said "Stop JE from continuing a case b/c she can't complete the hearing. She is hearing far fewer cases b/c she continues informally so many of her cases. She must get permission to r/s the case from the CALJ. " I have been harping about her continuances for months. There is no reason it should have taken her so long to get them RS. She cannot manage her work load working from home. My understanding was that both she and LD had to be caught up by June 1 or come back to the office. I don't think waiting till the end of the month, then asking to RS cases that are not done it 'catching up her case list."

As of my count this afternoon, LD still has 26 cases from 2012 alone on her case list that have not been turned into WP. Are you going to bring her back to the office starting Monday June 3?

Both Julie and Lynette are killing our DOL numbers.

James case list is now growing also. He is up over 100 as of the beginning of this week.

Thanks much,
Teresa Hillary

Message: FW: Plan to End the Backlog**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:31:59 PM
 Item ID: 40860955
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ FW: Plan to End the Backlog

From Hillary, Teresa [IWD] **Date** Tuesday, June 04, 2013 9:05 AM
To Wahlert, Teresa [IWD]
Cc

I am pretty sure Joe would have sent this to you. One comment, NEVER has the CALJ maintained a regular hearing schedule. He has always just filled in. If hearing cases is such an "integral" part of the CALJ's job, then how come he was only scheduled to hear in Jan: 15; Feb: 9; March: 9, April: 0 May: 7. A regular hearing load for an ALJ was 28 per week, he has not even heard that per month since the first of the year.

Thanks much
 Teresa Hillary

From: Walsh, Joseph [IWD]
Sent: Monday, June 03, 2013 3:03 PM
To: Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]
Cc: Scott, Cheryl [IWD]; Shroyer, Paula [IWD]; Levell, Terra [IWD]; Alexander, Marty [IWD]; Anderson, Donnell [IWD]; Baughman, Myra [IWD]; Benson, Joni [IWD]; Oatts, Sandra [IWD]; Ziegler, Vanessa [IWD]
Subject: Plan to End the Backlog

The overall problem is not complicated. We have too many appeals and not enough ALJ hearing slots. As it stands, virtually none of our cases are meeting timeliness for the last few weeks.

I am working on several fronts to fix our backlog. Some issues are appropriate for all of us to discuss (process issues) others are not (personnel). All fronts are being addressed.

This Five Point Plan is the working plan to fix the backlog. As with all my "plans" I prefer ongoing process improvement and open input. Further suggestions are welcome at all times.

1. **Hearings.** Every ALJ shall provide Joni with two more hearing slots for a total of 30 hours worth of hearings. Just so we are all on the same page, I will reiterate the Appeals standards. Two party hearings shall be set for an hour (in general). One parties count as a ½ hour slot. When volume decreases, we will adjust. Teresa Hillary and Steve Wise have been working on processes and projects. They will be moved back into a greater hearing rotation and reduce their other duties. Teresa will continue to work with Myra on Intake and continue her work on cleaning up the Unassigned Old Case Report. Steve will go back to full caseload and continue forward with the Online Appeals Project.
2. **Management.** This means I will be more hands on in regard to the day-to-day operations and processes with clerical staff. I will be working closely with Joni. Clerical staff with issues (other than those delineated above) should come to me (i.e. complaints, process issues, etc.). I will attempt to keep the number of cases I hear limited so that I may can be available. The Chief has always heard cases in Iowa and this is deemed an essential and integral function of an ALJ 3. In an effort to be able to focus on the management aspect of the job, I will try to limit my activities to ugly prehearings, important cases with precedential/high profile implications and filling in for sick/absent ALJs.
3. **Itineraries.** ALJs will be primarily responsible for reviewing their own itineraries to determine which cases can make 30/45 days. Every Monday all ALJs must send their number of cases which can make 30/45 to Joni and she will track on a spreadsheet. Dan used to do this function and track himself. I want the ALJs to take the initial responsibility so that I know every ALJ knows how many and which of their cases can make timeliness. I will then follow up to ensure timeliness was met. The arbitrary cutoff for whether a hearing can make 30/45 is if the case is heard before noon on the day of the hearing, it is possible. This is, of course, a fiction at times, but I think it is better to set a strict standard in this instance.
4. **One Party Cases.** For the month of June, Teresa will handle the single party cases for the most part. Beginning the first part of July when she is back in nearly full rotation, I will begin asking the in-house attorneys to take on additional one party cases on days they have openings or finish up early. There are different ways to do this. Judges who prefer to take cases on and make cold calls will be give the option for that; alternatively, if a Judge knows in advance they have any openings on a week they are in the office, may ask to be scheduled some *additional* one parties for that week in advance. In other words, we will be scheduling all the two parties and the one parties will be extras. Attorneys who step up to assist with the one party cases in this manner will see it reflected in their evaluations.
5. **Accountability.** As I mentioned in a prior email, in July I am going to start sharing our individual and group statistics amongst the entire ALJ staff in order to motivate everyone to increase their numbers. Everyone already knows that in many instances there are good reasons one Judge's stat line may be lower than another's particularly in any random month. We are all professionals and there is nothing wrong with shining a little light on our production.

Joseph L. Walsh

Chief Administrative Law Judge
Unemployment Insurance Appeals
1000 East Grand Avenue

Des Moines, Iowa 50319
Phone: (515) 281-8119
joseph.walsh@iwd.iowa.gov

Message: RE: DSM Local Files for 7/9/13

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:31:59 PM
Item ID: 40860956
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ RE: DSM Local Files for 7/9/13

From Hillary, Teresa [IWD] **Date** Tuesday, June 04, 2013 12:26 PM
To Lewis, Devon [IWD]
Cc

 [image001.gif](#) (5 Kb HTML)

I hate the one day at the local for each alj. It just creates so much more work for Joni. Especially b/c most alj's don't get back to her right away with how they want them scheduled, or they want to vet the file with a fine tooth comb before they will tell Joni how much time to schedule.

Btw, I just talked to Ryan West about backdating issues and asked him about the meeting tomorrow, he won't be there b/c he is out of town, but the meeting is taking place and he has his documentation from the 10 states he contacted. The director contacted him last week to ask how many 319 decn were run last year. I forgot to ask him how many.

Still nuthin. I'll let you know as soon as I hear anything.

From: Lewis, Devon [IWD]
Sent: Tuesday, June 04, 2013 12:23 PM
To: Hillary, Teresa [IWD]
Subject: FW: DSM Local Files for 7/9/13

Fyi – lots of extra work for her to do this.

From: Lewis, Devon [IWD]
Sent: Tuesday, June 04, 2013 12:22 PM
To: Benson, Joni [IWD]

Subject: RE: DSM Local Files for 7/9/13

Joni,

I have set my DM Local hours so that you do not have to ask me the order of scheduling. There should be enough time for any hearing to go over. 9:00, 10:30, 1:00, 2:30

Thanks,

Devon

From: Benson, Joni [IWD]

Sent: Tuesday, June 04, 2013 11:59 AM

To: Lewis, Devon [IWD]

Subject: DSM Local Files for 7/9/13

I will be adding one more when I get files.

1. 13A-UI-04371-LT; Shoemaker v. DSM Healthcare MGMT
2. 13A-UI-06401; Miller v. O'Mara
3. 13A-UI-06528; Osby v. Howroyd Wright Empl Agency

Plus 1

Joni K. Benson

Iowa Workforce Development - UI Appeals

Ph: 515-281-8484 FAX: 515-242-5144

email: joni.benson@iwd.iowa.gov



Please consider the environment before printing this e-mail.

Message: Last call for Training Requests

Case Information:

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:00 PM
 Item ID: 40860959
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Last call for Training Requests**

From	Hillary, Teresa [IWD]	Date
		Thursday, June 06, 2013 9:03 AM
To	Alexander, Marty [IWD]; Anderson, Donnell [IWD]; Baughman, Myra [IWD]; Benson, Joni [IWD]; Oatts, Sandra [IWD]; Ziegler, Vanessa [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Walsh, Joseph [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]	
Cc	Benson, Joni [IWD]	

If you have not already sent me your "wish list" for training, please do so by 4:00 pm today so I have time to add them to the list for tomorrow's ALJ staff meeting.

Thanks much
Teresa

Message: RE: Tip Sheet properly named**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:00 PM
 Item ID: 40860970
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ RE: Tip Sheet properly named

From Hillary, Teresa [IWD] **Date** Thursday, June 06, 2013 10:39 AM

To Lewis, Devon [IWD]; Walsh, Joseph [IWD]; Eklund, David [IWD]; Wilkinson, Michael [IWD]; West, Ryan [IWD]; Bervid, Joseph [IWD]; Olivencia, Nicholas [IWD]

Cc Wahlert, Teresa [IWD]

I agree with all Devon's changes, but would also take out the word "expedited." That may lead people to think they can get a same day hearing, which we can't do b/c of notice issues.

Thanks much

Teresa Hillary

From: Lewis, Devon [IWD]
Sent: Thursday, June 06, 2013 10:30 AM
To: Walsh, Joseph [IWD]; Hillary, Teresa [IWD]; Eklund, David [IWD]; Wilkinson, Michael [IWD]; West, Ryan [IWD]; Bervid, Joseph [IWD]; Olivencia, Nicholas [IWD]
Cc: Wahlert, Teresa [IWD]
Subject: RE: Tip Sheet properly named

Here are my suggested changes. No criticism, just a different writing style.

From: Walsh, Joseph [IWD]
Sent: Wednesday, June 05, 2013 4:14 PM
To: Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Eklund, David [IWD]; Wilkinson, Michael [IWD]; West,

Ryan [IWD]; Bervid, Joseph [IWD]; Olivencia, Nicholas [IWD]
Cc: Wahlert, Teresa [IWD]
Subject: Tip Sheet properly named

I am not a sensitive person. Feel free to critique openly. 😊

Joseph L. Walsh

Chief Administrative Law Judge
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1000 East Grand Avenue
Des Moines, Iowa 50319
Phone: (515) 281-8119
joseph.walsh@iwd.iowa.gov

Message: FW: list of ALJs to not be present tomorrow

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:00 PM
Item ID: 40860972
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **FW: list of ALJs to not be present tomorrow**

From Hillary, Teresa [IWD] **Date** Thursday, June 06, 2013 11:06 AM
To Lewis, Devon [IWD]
Cc

What do you bet Julie is one of them.

From: Walsh, Joseph [IWD]
Sent: Thursday, June 06, 2013 11:05 AM
To: Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]
Subject: list of ALJs to not be present tomorrow

Will each ALJ who cannot be in tomorrow (due to vacation, medical, etc.) please remind me privately with an IM.

Joseph L. Walsh

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joseph.walsh@iwd.iowa.gov



Message: FW: list of ALJs to not be present tomorrow**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:00 PM
 Item ID: 40860976
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **FW: list of ALJs to not be present tomorrow**

From Hillary, Teresa [IWD] **Date** Thursday, June 06, 2013 11:50 AM
To Wahlert, Teresa [IWD]
Cc

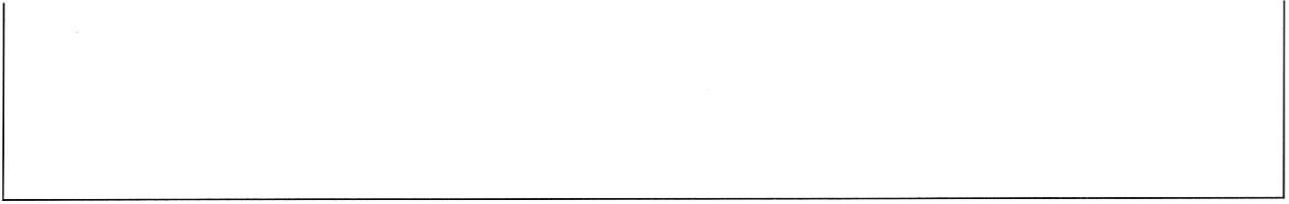
As of my sending of this e-mail only Deb W. has previously asked for time off on Friday. Friday afternoons are not scheduled for ALJ'S to give them time to come to the office to drop-off, pick-up files. The set of ALJ's who usually miss meetings, CLE seminars, etc will be the same ones who will probably miss tomorrow's meeting. If an ALJ has not asked for time off prior to the announcement of the staff meeting, why would he grant it now?

From: Walsh, Joseph [IWD]
Sent: Thursday, June 06, 2013 11:05 AM
To: Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]
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joseph.walsh@iwd.iowa.gov



Message: FW: list of ALJs to not be present tomorrow**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:00 PM
 Item ID: 40860977
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ FW: list of ALJs to not be present tomorrow

From Hillary, Teresa [IWD] **Date** Thursday, June 06, 2013 11:54 AM
To Lewis, Devon [IWD]
Cc

I do not understand why Joe would not just say to the alj's hey, this is important, SHOW UP. My forward below.

From: Hillary, Teresa [IWD]
Sent: Thursday, June 06, 2013 11:50 AM
To: Wahlert, Teresa [IWD]
Subject: FW: list of ALJs to not be present tomorrow

As of my sending of this e-mail only Deb W. has previously asked for time off on Friday. Friday afternoons are not scheduled for ALJ'S to give them time to come to the office to drop-off, pick-up files. The set of ALJ's who usually miss meetings, CLE seminars, etc will be the same ones who will probably miss tomorrow's meeting. If an ALJ has not asked for time off prior to the announcement of the staff meeting, why would he grant it now?

From: Walsh, Joseph [IWD]
Sent: Thursday, June 06, 2013 11:05 AM
To: Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]
Subject: list of ALJs to not be present tomorrow

Will each ALJ who cannot be in tomorrow (due to vacation, medical, etc.) please remind me privately with an IM.

Joseph L. Walsh

Chief Administrative Law Judge
Unemployment Insurance Appeals
1000 East Grand Avenue
Des Moines, Iowa 50319
Phone: (515) 281-8119
joseph.walsh@iwd.iowa.gov

Message: RE: list of ALJs to not be present tomorrow**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:00 PM
 Item ID: 40860980
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ RE: list of ALJs to not be present tomorrow

From Hillary, Teresa [IWD] **Date** Thursday, June 06, 2013 11:59 AM
To Lewis, Devon [IWD]
Cc

Yep, you and deb and steve....but I think all three of you are going to show up

From: Lewis, Devon [IWD]
Sent: Thursday, June 06, 2013 11:56 AM
To: Hillary, Teresa [IWD]
Subject: RE: list of ALJs to not be present tomorrow

I had annual scheduled off all day tomorrow. Not just Deb.

From: Hillary, Teresa [IWD]
Sent: Thursday, June 06, 2013 11:54 AM
To: Lewis, Devon [IWD]
Subject: FW: list of ALJs to not be present tomorrow

I do not understand why Joe would not just say to the alj's hey, this is important, SHOW UP. My forward below.

From: Hillary, Teresa [IWD]
Sent: Thursday, June 06, 2013 11:50 AM
To: Wahlert, Teresa [IWD]
Subject: FW: list of ALJs to not be present tomorrow

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afternoons are not scheduled for ALJ'S to give them time to come to the office to drop-off, pick-up files. The set of ALJ's who usually miss meetings, CLE seminars, etc will be the same ones who will probably miss tomorrow's meeting. If an ALJ has not asked for time off prior to the announcement of the staff meeting, why would he grant it now?

From: Walsh, Joseph [IWD]

Sent: Thursday, June 06, 2013 11:05 AM

To: Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]

Subject: list of ALJs to not be present tomorrow

Will each ALJ who cannot be in tomorrow (due to vacation, medical, etc.) please remind me privately with an IM.

Joseph L. Walsh

Chief Administrative Law Judge
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1000 East Grand Avenue
Des Moines, Iowa 50319
Phone: (515) 281-8119
joseph.walsh@iwd.iowa.gov

Message: RE: Decisions

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:31:58 PM
Item ID: 40860935
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **RE: Decisions**

From Hillary, Teresa [IWD] **Date** Friday, May 31, 2013 9:22 AM
To Wahlert, Teresa [IWD]
Cc

Sorry was out of the office all day yesterday. I will hunt it down and get back to you by end of day.

-----Original Message-----

From: Wahlert, Teresa [IWD]
Sent: Thursday, May 30, 2013 9:39 AM
To: Hillary, Teresa [IWD]
Subject: Decisions

Do you have 2011, 2012, and 2013 (YTD) numbers of decisions by ALJ?

- Teresa Wahlert

Message: Decision by ALJ

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:31:59 PM
Item ID: 40860937
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Decision by ALJ**

From Hillary, Teresa [IWD] **Date** Friday, May 31, 2013 11:20 AM
To Wahlert, Teresa [IWD]
Cc

 [2012 ALJ DEC.docx](#) (20 Kb HTML)  [Decisions per ALJ 2013.docx](#) (20 Kb HTML)

Here is the dilemma I'm in with regard to numbers. The chief ALJ has always been responsible for keeping track of numbers. When Joe took over for Dan Anderson, Dan continued to keep track of numbers and would send e-mails to Joe, Me and Steve Wise about what he normally did and counted. When Dan left for good in Dec 2012, no one continued with his tracking or even looked at the reports. Steve Wise was going to work on a computer program to 'handle' what he and Joe thought was Dan's antiquated way of working the reports. Nothing ever got completed. I asked Dan to come in two weeks ago and give me and Joe another teaching lesson. While he was here Dan took home the "Handy Dandy Dan" notebook that he kept and updated part of it so we would know where we stood with regard to number of cases pending and number of appeals to date. When he brought it back in I have taken over updating the numbers on a portion of the records (number of appeals, pending cases etc.) as Joe doesn't think Dan's method was efficient and frankly he just has not done anything with them. I know Dan knew numbers by ALJ b/c they were always on our performance evaluation, including where each ALJ ranked in comparison to the others. However, no employee evaluations have been done in the two years since Joe became Chief, hence I can't even turn to those to find out the information. I have a call into Dan to see if he can point me toward the information you requested for 2011. I have found some portions of 2012 and have, with

assistance from Donni cobbled together the information attached. The 2013 numbers are incomplete because the March 2013 reports are lost. I have checked with Chuks to see about getting the numbers and he indicated it would require a prioritization request.

The numbers I was able to come up with are attached.

Sorry, I realize the information is insufficient but the reports are in such chaos, it's the best I can do right now.

-----Original Message-----

From: Wahlert, Teresa [IWD]
Sent: Thursday, May 30, 2013 9:39 AM
To: Hillary, Teresa [IWD]
Subject: Decisions

Do you have 2011, 2012, and 2013 (YTD) numbers of decisions by ALJ?

- Teresa Wahlert

ALJ	JAN- MAY	JUNE- DEC	TOTAL '12
ACKERMAN	227	702	929
ANDERSON	563	311	874
DONNER	341	525	866
ELDER	398	514	912
HENDRICKSMEYER	437	788	1225
HILLARY	331	484	815
LEWIS	414	633	1047
MORMANN	470	816	1286
NICE	424	707	1131
SCHEETZ	534	874	1408
SEECK	382	581	963
STEPHENSON	427	645	1072
TIMBERLAND	427	709	1136
WALSH	56	101	157
WISE, D	495	574	1069
WISE, S	421	510	931
DIA/DAH (X)	192		
TOTAL	6539	9474	15821

Source: Jan-May total comes from 2012 *Decisions per Month by ALJ* spreadsheet prepared by Dan Anderson. June-Dec total is from the *Summary for Fiscal Year June 1 – May 31 as of January 2013* report from the DOL.

	MONTHS OF 2013				
ALJ	JANUARY	FEBRUARY	MARCH	APRIL	TOTAL
ACKERMAN	116	78		84	278
DONNER	29	80		37	146
ELDER	19	33		68	120
HENDRICKSMEYER	126	65		94	285
HILLARY	33	32		81	146
LEWIS	48	115		91	254
MORMANN	85	97		112	294
NICE	109	83		84	276
SCHEETZ	111	157		125	393
SEECK	86	41		58	185
STEPHENSON	1	97		100	198
TIMBERLAND	79	56		60	195
WALSH	6	24		1	31
WISE, D	93	114		71	278
WISE, S	76	99		57	232
DIA/DAH	71	34		62	167
TOTAL	1088	1205	0	1185	3478

Chart Shows Decisions submitted by ALJ in a given month. Numbers come from "Monthly Appeals Report" for each month from the DOL.

Message: RE: Re:

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:31:59 PM
Item ID: 40860938
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **RE: Re:**

From Hillary, Teresa [IWD] **Date** Friday, May 31, 2013 11:22 AM
To Wahlert, Teresa [IWD]
Cc

Joe still has not forwarded the list to the ALJ'S. How hard would it be to hit forward and give the ALJ's the information to figure out which Deputy is making the decn.

Teresa Hillary

From: Wahlert, Teresa [IWD]
Sent: Thursday, May 30, 2013 1:34 PM
To: Hillary, Teresa [IWD]
Subject: Fwd: Re:

- Teresa Wahlert

Begin forwarded message:

From: "Wahlert, Teresa [IWD]" <Teresa.Wahlert@iwd.iowa.gov>
Date: May 30, 2013, 1:33:22 PM CDT
To: "West, Ryan [IWD]" <Ryan.West@iwd.iowa.gov>
Cc: "Walsh, Joseph [IWD]" <Joseph.Walsh@iwd.iowa.gov>
Subject: Re:

Thanks Ryan

So - please send this list to your ALJs. If there seems to be issues with a fact finder and the decision or the record they should let me know.

- Teresa Wahlert

On May 30, 2013, at 1:07 PM, "West, Ryan [IWD]" <Ryan.West@iwd.iowa.gov> wrote:

Joe,

I wanted to make sure you have this list of current advisors we have down here at 150 who could potentially conduct a fact-finding. The highlighted advisors are those that at any one time could potentially issue a fact-finding decision "including managers". Next to the name is the "deputy number" they are assigned. You're ALJ's can check the deputy number through session manager using KFFD or NMRO and then cross match that against this list for a name. I will send you updates on this list going forward as they change. Any questions just let me know.

Director,

I wanted to make sure that I corrected myself in the meeting this morning. I told you we have "70" advisors and actually its "59" that work out of the Service Center. Of those "59" advisors, "49" are fact-finder ready.

Ryan West
Regional Operations Manager
Iowa Workforce Development
(515) 242-0413 P
(515) 281-9321 F

<image001.jpg>

<March 2013 Team List.xlsx>

Message: FW: Re:

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:31:59 PM
Item ID: 40860939
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **FW: Re:**

From Hillary, Teresa [IWD] **Date** Friday, May 31, 2013 11:51 AM
To Lewis, Devon [IWD]
Cc

From: Wahlert, Teresa [IWD]
Sent: Thursday, May 30, 2013 1:34 PM
To: Hillary, Teresa [IWD]
Subject: Fwd: Re:

- Teresa Wahlert

Begin forwarded message:

From: "Wahlert, Teresa [IWD]" <Teresa.Wahlert@iwd.iowa.gov>
Date: May 30, 2013, 1:33:22 PM CDT
To: "West, Ryan [IWD]" <Ryan.West@iwd.iowa.gov>
Cc: "Walsh, Joseph [IWD]" <Joseph.Walsh@iwd.iowa.gov>
Subject: Re:

Thanks Ryan

So - please send this list to your ALJs. If there seems to be issues with a fact finder and the decision or the record they should let me know.

- Teresa Wahlert

On May 30, 2013, at 1:07 PM, "West, Ryan [IWD]" <Ryan.West@iwd.iowa.gov> wrote:

Joe,

I wanted to make sure you have this list of current advisors we have down here at 150 who could potentially conduct a fact-finding. The highlighted advisors are those that at any one time could potentially issue a fact-finding decision "including managers". Next to the name is the "deputy number" they are assigned. You're ALJ's can check the deputy number through session manager using KFFD or NMRO and then cross match that against this list for a name. I will send you updates on this list going forward as they change. Any questions just let me know.

Director,

I wanted to make sure that I corrected myself in the meeting this morning. I told you we have "70" advisors and actually its "59" that work out of the Service Center. Of those "59" advisors, "49" are fact-finder ready.

Ryan West
Regional Operations Manager
Iowa Workforce Development
(515) 242-0413 P
(515) 281-9321 F

<image001.jpg>

<March 2013 Team List.xlsx>

Message: FW: WRIGHT, CHRIS, S

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:31:59 PM
Item ID: 40860941
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **FW: WRIGHT, CHRIS, S**

From Hillary, Teresa [IWD] **Date** Friday, May 31, 2013 11:58 AM
To Lewis, Devon [IWD]
Cc

 [image001.gif](#) (5 Kb HTML)

Joe just never follows through. We talked about this in a staff meeting in Jan. Nothing resolved. All he has to do is say, "Alj's take calls." He just never get anything completed.

From: Walsh, Joseph [IWD]
Sent: Thursday, May 30, 2013 5:33 PM
To: Benson, Joni [IWD]; Hillary, Teresa [IWD]
Subject: RE: WRIGHT, CHRIS, S

We need to sit down and decide what it means to "give advice" vs. giving information that someone might know. Maybe we need to give no information at all. There are pros and cons. When Teresa is back the three of us need to get on same page and give consistent direction to clerical.

We also need to develop a phone schedule for the judges and decide exactly what types of calls they will take.

From: Benson, Joni [IWD]
Sent: Thursday, May 30, 2013 2:45 PM
To: Walsh, Joseph [IWD]
Subject: FW: WRIGHT, CHRIS, S

Here you go.

From: Baughman, Myra [IWD]
Sent: Thursday, May 30, 2013 2:00 PM
To: Benson, Joni [IWD]
Subject: RE: WRIGHT, CHRIS, S

He wanted to know if his claim was released yet as he had won his appeal. Got his ssn, looked on NMRO/DBRO. Claim is unlocked.
Told him that & the benefits were being used to offset his overpayment. He thought he only owed \$585.00. told him there was another overpayment decision around May 1st that says he owes more than that.
He didn't agree with that & asked to talk to Joni cause she is in charge of appeals.

Transferred the call to you at that point.

From: Benson, Joni [IWD]
Sent: Thursday, May 30, 2013 1:54 PM
To: Baughman, Myra [IWD]
Subject: WRIGHT, CHRIS, S

Please send me a detailed email as to the conversation you had with Mr. Chris S. Wright.

Joni K. Benson

Iowa Workforce Development - UI Appeals
Ph: 515-281-8484 FAX: 515-242-5144
email: joni.benson@iwd.iowa.gov



Please consider the environment before printing this e-mail.

Message: FW: 30/45 Day Decision Report - Week of 5/27/13

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:31:59 PM
Item ID: 40860942
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **FW: 30/45 Day Decision Report - Week of 5/27/13**

From Hillary, Teresa [IWD] **Date** Friday, May 31, 2013 12:00 PM
To Lewis, Devon [IWD]
Cc

 **30-45 DAY REPORT.xlsx** (19 Kb HTML)  **image001.gif** (5 Kb HTML)

From: Benson, Joni [IWD]
Sent: Friday, May 31, 2013 11:08 AM
To: Walsh, Joseph [IWD]; Hillary, Teresa [IWD]
Subject: 30/45 Day Decision Report - Week of 5/27/13

I do not have data from Lynette, Julie, Bonny, Marlon, Terry, and Deb.

I suggest these be turned in the day of or the day after they get their itineraries from me. This week was very late because I was gone Fri/Mon-Holiday/Tues Wednesday I was buried.

Joni K. Benson

Iowa Workforce Development - UI Appeals
Ph: 515-281-8484 FAX: 515-242-5144
email: joni.benson@iwd.iowa.gov



Please consider the environment before printing this e-mail.

WEEKLY 30/45 DAY REPORTS

BY ALJ

WEEK OF

JUN S4

ALJ

ACKERMAN

SCHEDULED

MAKE 30 DAYS

MAKE 45 DAYS

DONNER

SCHEDULED

MAKE 30 DAYS

MAKE 45 DAYS

ELDER

SCHEDULED

MAKE 30 DAYS

MAKE 45 DAYS

HENDRICKSMEYER

SCHEDULED

MAKE 30 DAYS

MAKE 45 DAYS

HILLARY

SCHEDULED

MAKE 30 DAYS

MAKE 45 DAYS

LEWIS

SCHEDULED

MAKE 30 DAYS

MAKE 45 DAYS

MORMANN

SCHEDULED

MAKE 30 DAYS

MAKE 45 DAYS

NICE

SCHEDULED

MAKE 30 DAYS

MAKE 45 DAYS

SCHEETZ

SCHEDULED

MAKE 30 DAYS

MAKE 45 DAYS

SEECK

SCHEDULED

MAKE 30 DAYS

MAKE 45 DAYS

STEPHENSON

SCHEDULED

MAKE 30 DAYS

MAKE 45 DAYS

TIMBERLAND

SCHEDULED
MAKE 30 DAYS
MAKE 45 DAYS
WALSH
SCHEDULED
MAKE 30 DAYS
MAKE 45 DAYS
WISE, DEB
SCHEDULED
MAKE 30 DAYS
MAKE 45 DAYS
WISE, STEVE
SCHEDULED
MAKE 30 DAYS
MAKE 45 DAYS
TOTALS
SCHEDULE FOR WK
MAKE 30 DAYS
MAKE 45 DAYS

Message: FW: How to fix the backlog of hearings.

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:31:59 PM
Item ID: 40860943
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **FW: How to fix the backlog of hearings.**

From Hillary, Teresa [IWD] **Date** Friday, May 31, 2013 12:03 PM
To Lewis, Devon [IWD]
Cc

 [backlog fix.docx](#) (20 Kb HTML)

From: Hillary, Teresa [IWD]
Sent: Wednesday, May 29, 2013 12:05 PM
To: Walsh, Joseph [IWD]
Subject: How to fix the backlog of hearings.

Joe,

My suggestions attached for getting the backlog fixed.

Thanks much
Teresa Hillary

Plan for catching up hearings and backlog.

Have each ALJ designate 30 open one-hours spots per week where hearings can be assigned. Still leaves an ALJ 10 hrs unassigned in a normal work week to complete longer cases. Without including me, (TH) this would be 390 cases per week. (13 ALJ's X 30) If that is not enough to get us where we need to be, have each ALJ designate 32 one-hour spots per week. Without me that would bring us to 416 cases per week. (13 ALJ's X 32 hrs) We are averaging roughly 300 appeals per week. I can cover any ALJ's illness. None of the ALJ's complained when work was slow and we had no Thursday afternoon or Friday hearings.

Joe W will have no hearings assigned to him. This will leave him free to perform tasks the Chief should do. Review appeal decns, remands, stat reports, management issues.

TH currently hears cases on Thursday and Friday. Add full day Wednesday to my schedule.

No ALJ gets to pick single party cases, they will be assigned randomly.

No ALJ gets to dictate whether they will or will not hear any type of case, including ones with attys, interpreters etc.

Any ALJ who has phone issues (except Vicki S as she works in an IWD office) cannot refuse to hear any case. If an ALJ is assigned a case they believe they cannot do b/c of phone issues must trade with a willing colleague. If no colleague is willing there are telephones and offices they can use ALWAYS available at IWD.

Stop JE from continuing a case b/c she can't complete the hearing. She is hearing far fewer cases b/c she continues informally so many of her cases. She must get permission to r/s the case from the CALJ.

Enforce the past policy that no ALJ can go on vacation with any cases unwritten cases on their case list.

We could be caught up in two months.

Message: RE: Staff meeting

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:31:59 PM
Item ID: 40860944
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **RE: Staff meeting**

From Hillary, Teresa [IWD] **Date** Friday, May 31, 2013 12:31 PM
To Wahlert, Teresa [IWD]
Cc

This is a great idea. He will tell you that we are already scheduled for hearings. No ALJ is scheduled on Friday afternoons. If he says Thur won't work, tell him to schedule it Friday afternoon at 1:00 pm. All ALJ's should be able to make a meeting at that time. All ALJ's are required to come to the office once per week anyway. Some do not. They can be here Friday with no issues.

Thanks much
Teresa Hillary

From: Wahlert, Teresa [IWD]
Sent: Friday, May 31, 2013 12:07 PM
To: Hillary, Teresa [IWD]
Subject: Fwd: Staff meeting

- Teresa Wahlert

Begin forwarded message:

From: "Wahlert, Teresa [IWD]" <Teresa.Wahlert@iwd.iowa.gov>
Date: May 31, 2013, 12:07:04 PM CDT
To: "Walsh, Joseph [IWD]" <Joseph.Walsh@iwd.iowa.gov>
Subject: Staff meeting

I would like you to have a staff meeting next week after the joint meeting. I am sure you have many items to include - but at a minimum the topics if June 5 should be included. Please let me know what you schedule so that I have it on my calendar as well.

You should establish monthly staff meetings at a minimum.

Thanks

- Teresa Wahlert

Message: Decisions

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:31:58 PM
Item ID: 40860927
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Decisions**

From Wahlert, Teresa [IWD] **Date** Thursday, May 30, 2013 9:39 AM
To Hillary, Teresa [IWD]
Cc

Do you have 2011, 2012, and 2013 (YTD) numbers of decisions by ALJ?

- Teresa Wahlert

Message: Fwd: Re:

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:31:58 PM
Item ID: 40860928
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Fwd: Re:**

From Wahlert, Teresa [IWD] **Date** Thursday, May 30, 2013 1:34 PM
To Hillary, Teresa [IWD]
Cc

- Teresa Wahlert

Begin forwarded message:

From: "Wahlert, Teresa [IWD]" <Teresa.Wahlert@iwd.iowa.gov>
Date: May 30, 2013, 1:33:22 PM CDT
To: "West, Ryan [IWD]" <Ryan.West@iwd.iowa.gov>
Cc: "Walsh, Joseph [IWD]" <Joseph.Walsh@iwd.iowa.gov>
Subject: Re:

Thanks Ryan

So - please send this list to your ALJs. If there seems to be issues with a fact finder and the decision or the record they should let me know.

- Teresa Wahlert

On May 30, 2013, at 1:07 PM, "West, Ryan [IWD]" <Ryan.West@iwd.iowa.gov> wrote:

Joe,

I wanted to make sure you have this list of current advisors we have down here at 150 who could potentially conduct a fact-finding. The highlighted advisors are those that at any one time could potentially issue a fact-finding

decision “including managers”. Next to the name is the “deputy number” they are assigned. You’re ALJ’s can check the deputy number through session manager using KFFD or NMRO and then cross match that against this list for a name. I will send you updates on this list going forward as they change. Any questions just let me know.

Director,

I wanted to make sure that I corrected myself in the meeting this morning. I told you we have “70” advisors and actually its “59” that work out of the Service Center. Of those “59” advisors, “49” are fact-finder ready.

Ryan West
Regional Operations Manager
Iowa Workforce Development
(515) 242-0413 P
(515) 281-9321 F

<image001.jpg>

<March 2013 Team List.xlsx>

Message: Fwd:**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:00 PM
 Item ID: 40860981
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

Fwd:

From Wahlert, Teresa [IWD] **Date** Thursday, June 06, 2013
 1:08 PM
To Lewis, Devon [IWD]; Hillary, Teresa
 [IWD]
Cc

 [image001.jpg](#) (3 Kb HTML)  [ATT00001.htm](#) (1 Kb HTML)  [March 2013 Team List.xlsx](#)
 (14 Kb HTML)  [ATT00002.htm](#) (1 Kb HTML)

Here is the list if fact finders - please share with your group

- Teresa Wahlert

Begin forwarded message:

From: "West, Ryan [IWD]" <Ryan.West@iwd.iowa.gov>
Date: May 30, 2013, 1:07:26 PM CDT
To: "Walsh, Joseph [IWD]" <Joseph.Walsh@iwd.iowa.gov>
Cc: "Wahlert, Teresa [IWD]" <Teresa.Wahlert@iwd.iowa.gov>

Joe,

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Regional Operations Manager
Iowa Workforce Development
(515) 242-0413 P
(515) 281-9321 F

Message: Re: Daily Legislative Newsletter - Email I talked about at the Friday staff meeting**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:20 PM
 Item ID: 40861621
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

Re: Daily Legislative Newsletter - Email I talked about at the Friday staff meeting

From Wahlert, Teresa [IWD]

Date Sunday,
February 16, 2014
7:30 PM

To Wise, Debra [IWD]

Cc Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Stephenson, Randall [IWD]; Seeck, Vicki [IWD]; Timberland, James [IWD]; Wise, Steve [IWD]; Olivencia, Nicholas [IWD]; Wilkinson, Michael [IWD]; Bervid, Joseph [IWD]

Nick Joe and Ed -please update me on this tomorrow.

- Teresa Wahlert

On Feb 16, 2014, at 12:56 PM, "Wise, Debra [IWD]" <Debra.Wise@iwd.iowa.gov> wrote:

Below is the email I received Friday and mentioned at the staff meeting. I probably received this email in error, BUT if this would pass - it appears that it could have a signification impact on UI and UI Appeals.

From: Zylstra, Beverly [DIA]
Sent: Friday, February 14, 2014 10:24 AM
To: Autry, Rick [DIA]; Kuester, Monique [DIA]; Robinson, Robby [DIA]; Wise, Debra [IWD]; Garrison, Anita [DIA]
Subject: RE: Daily Legislative Newsletter

Thanks, Rick. Appreciate your information. We hadn't received a fiscal note request on this one. Do you think the language is written so the cost could be passed on to the person requesting the translation?

From: Autry, Rick [DIA]
Sent: Friday, February 14, 2014 9:46 AM
To: Kuester, Monique [DIA]; Robinson, Robby [DIA]; Wise, Debra [IWD]; Garrison, Anita [DIA]
Cc: Zylstra, Beverly [DIA]
Subject: FW: Daily Legislative Newsletter
Importance: High

Just a friendly heads up about looming legislation.

SSB 3026 CIVIL INTERPRETERS Requires that persons with limited English proficiency in court hearings, court-ordered programs and administrative programs be given interpreters. Establishes procedures for paying the interpreters and other related matters. **PASSED 12-0**; FM: Courtney
<http://coolice.legis.iowa.gov/Cool-ICE/default.asp?Category=billinfo&Service=Billbook&menu=false&hbill=SSB3026>

The bill requires state agencies to pay for translators of written documents as well as for oral interpreters. The standard is:

2. [Every limited English proficient person who is a participant in a legal proceeding] shall be entitled to a translator if the court determines that an oral or sign language interpretation of a written document is not sufficient to meet the person's due process rights.

Note that "legal proceeding" includes "any proceeding before any administrative agency which is quasi-judicial in nature and which has direct legal implications to any person. 'Legal proceeding' includes any legal action preparatory to appearing before any court or administrative agency." For EAB the problem is we are on a very tight budget, and also would need to develop a procedure for determining if a translator is needed. We would need to develop (multiple) translations of the acknowledgment, the explanation of rights, and extension letters. Workforce would have similar issues not only with the notice of hearing, but any case-related documents. The real problem is whether we would have to pay for a translation of the individualized agency decision? With WF issuing so many individualized ALJ decisions on a regular basis, and the Board making comments, modifying and reversing on a regular basis, this may break us if we have to do it. At least I should think a dissent would not have to be translated. Note unlike the federal law there is no weighing here for people who speak rarely seen languages - if due process requires translation or interpretation then it must be done. At the least I should think we'd be looking at translating appeal right information that goes with the decision, and the "Decision and Order" that sets out whether benefits are allowed or denied. That is not so bad since it is pretty standard. The real issue is the expense and delay caused by having to translate individualized decisions when we issue them. (A fiscal note would seem to be in order - just one long winded ALJ decision could be a budget breaker!) NB that the vote on this was 12-0.

Also noteworthy is that agencies are permitted to pass rules different than the supreme court "governing the qualifications and compensation of interpreters and translators appearing in proceedings before that agency." It is unclear whether agencies can pass rules governing the procedure for appoint such persons, but it would seem to part of the general regulatory grant of authority to an agency.

The whole "due process" thing, by the way, is a little difficult to pin down since as far as I know the law is clear that giving notice in English is sufficient to satisfy due process. E.g. Am. Jur. CONSTITUTIONAL Law §933; *Carmona v. Sheffield*, 475 F.2d 738 (9th Cir.1973) (no right to unemployment notices in Spanish); *DaLomba*

v. Director of Div. of Employment Security, 369 Mass. 92, 337 N.E.2d 687 (notices to request unemployment compensation hearings); *Toure v. United States*, 24 F.3d 444 (2d Cir.1994) (no right to notice of administrative seizure in French); *Soberal-Perez v. Heckler*, 717 F.2d 36 (2d Cir.1983) (no right to Social Security notices and services in Spanish), *cert. denied*, 466 U.S. 929, 104 S.Ct. 1713, 80 L.Ed.2d 186 (1984); *Frontera v. Sindell*, 522 F.2d 1215 (6th Cir.1975) (no right to civil service exam in Spanish); *Guerrero v. Carleson*, 9 Cal.3d 808, 109 Cal.Rptr. 201, 512 P.2d 833, *cert. den.* 414 U.S. 1137, 94 S.Ct. 883, 38 L.Ed.2d 762 (welfare termination notices); *Commonwealth v. Olivo*, 369 Mass. 62, 337 N.E.2d 904 (city housing department orders to vacate apartments). But these cases are a bit old, we should perhaps do more research if it moves on. Surely, the statute must contemplate translation *some time* but maybe only for very critical things like explanation of appeal rights, and notice of hearing. It's just not too clear to me at this point, especially whether even given that the cases deal more with general notices, whether the individual decision in that person's particular case must be translated – to my mind this remains a real issue with this.

<!--[if !supportLists]--> <!--[endif]-->Rick

From: Zylstra, Beverly [DIA]

Sent: Friday, February 14, 2014 8:22 AM

To: Autry, Rick [DIA]; Blake, Barbara [IRGC]; Dishman, Wendy [DIA]; Fisk, Dawn [DIA]; Friberg, James [DIA]; Hennessey, Jim [DIA]; Jones, Julie [DIA]; Jones, Karyl [IRGC]; Kieler, Kathy [DIA]; Klaassen, Joni [DIA]; Kuester, Monique [DIA]; Mandernach, Steven [DIA]; Mitchell, Nancy [DIA]; Ohorilko, Brian [IRGC]; Priestler, John [DIA]; Roberts, Rod [DIA]; Robinson, Robby [DIA]; Smith, Jim [DIA]; Spracklin, Mary [DIA]; Sutton, Kathy [DIA]; Svec-Carstens, Deborah [DIA]; Throener, Sara [DIA]; Tschetter, Betty [DIA]; Werning, David [DIA]; White, Mindla [DIA]; Zimmerman, Dave [DIA]

Subject: Daily Legislative Newsletter

Importance: High

Committee Action

Senate Judiciary Committee: Voted Out

SSB 3026 CIVIL INTERPRETERS Requires that persons with limited English proficiency in court hearings, court-ordered programs and administrative programs be given interpreters. Establishes procedures for paying the interpreters and other related matters. PASSED 12-0; FM: Courtney

SSB 3076 CIVIL COMMITMENT CONVICTIONS Defines conviction for the purposes of the civil commitment of a sexual predator to include convictions and delinquent adjudications in this or other jurisdiction, including adjudications in sealed records and deferred judgments. Excludes these convictions and adjudications if the judgment has been set aside. AMENDED & PASSED 12-0; FM: Hogg (Gives DHS 60 days to prepare a release plan.)

New Bills of Potential Interest

HF 2249 CAD MEDICAID II (M Smith & 19 D's) Human Resources Directs DHS to not implement transition provisions related to services for Medicaid recipients under a CDAC (consumer-directed attendant care) contract. Retroactive to July 2013. Same topic as HF 2097 & SF 2065.

HF 2251 FAMILY TREATMENT COURTS (Dawson) Judiciary Establishes family treatment courts for children in need of assistance (ChINA). Defines a family treatment court as a voluntary juvenile court program for substance abuse treatment, including treatment services for a parent or guardian. Allows the juvenile court to offer the family treatment court as an option. Establishes a family treatment court in every county.

HF 2254 MINOR PIMPING OFFENSES (Judiciary; Successor to HSB 588) FM: Heartsill Allows a county attorney to refer a minor (under 18) who is arrested for prostitution to a ChINA hearing if the county attorney believes the minor was acting under the control of an adult, rather than prosecuting the minor. Makes pimping offenses involving a minor a Class C felony.

HF 2256 EMPLOYEE ADOPTION PROTECTIONS (Windschitl) Labor Applies the same job protections for employees regarding pregnancy and childbirth to employees who miss work due to an adoption.

SF 2178 BANNING HORSE SLAUGHTER (Bolkcom) Agriculture Bans the slaughter of horses and other equines. Establishes criminal penalties for slaughtering, or transporting or selling for slaughter, and for the transport or sale of food products containing horses. Allows local authorities to seize horses that are to be slaughtered. Allows a court to order the owner to pay for various costs related to the final disposition of the horses.

SF 2182 CERTIFIED NURSE TRAINING CHECKS (Breitbach) Human Resources Authorizes a Certified Nurse Aide training program to contract with a 3rd-party to do necessary background checks on the student

SF 2185 NATIVE HORSES & DOGS (State Government; Successor to SSB 3151) FM: Horn Strikes the requirement that 51% of the ownership of a horse or dog be by Iowans for the animal to be considered a native horse or dog.

SF 2189 MISSING COGNITIVELY IMPAIRED PERSONS (Judiciary; Successor to SF 2041) FM: Soddors Requires the DOT to display information on a missing person who is cognitively impaired on its dynamic message boards if it receives notice about the person from a law enforcement agency.

SF 2192 MOPED SPEEDS (Transportation; Successor to SF 2059) FM: Taylor Increases the speed that a motorized bicycle can travel to 39 mph and still be considered a moped

SF 2193 ADULT DAY CARE (Human Resources; Successor to SSB 3055) FM: Mathis Establishes criteria for the denial of admission or retention into an adult day care program, including that the person is under 18, needs assistance from three persons or poses a danger to the staff or participants. Allows the DIA to revoke or suspend certification for a program that does not comply.

SF 2194 WOMAN-OWNED BUSINESS CREDIT (Jochum) Ways & Means Establishes a corporate or individual income tax credit for a taxpayer who sells an Iowa business to a woman who is an Iowa resident, or an eligible entity owned by a woman. Requires that the business be in Iowa for at least three years. Requires that the eligible buyer purchase at least 51% of the business and own it for at least 12 months, and that the sale be between January 2105 and January 2020. Makes the credit available the year after the sale of the business is complete. Makes the credit for 50% of the purchase price and allows it to be carried forward for 7 years. Includes provisions on circumstances that require the repayment of the credit and penalties for falsely claiming the credit.

SSB 3176 GUARDIANSHIP TRANSFERS (Judiciary) Petersen (C), Courtney, Garrett Allows a court to the transfer of a guardianship in a ChINA case if person meets the requirements of a custodian, has had the child for at least six months, has maintained responsibility for the child and the parent of the child either fails to appear at the hearing or fails to object. Allows the court to close the case by transferring jurisdiction to the probate court. See HSB 571

SSB 3181 CHILD & DEPENDENT CREDIT CALCULATIONS (Ways & Means) Petersen (C), Bolkcom, Smith Calculates the state child and dependent care tax credit as a percentage of the amount that the taxpayer would be for eligible for and not a limited amount if the taxpayer can only claim part of the federal credit. Increases the levels of income for eligibility. Retroactive to January 2012. Some provisions similar to SF 2163.

Let me know any bills you want tracked and any comments on bills.

Next week is the first Funnel Week – House bills have to be out of House Committees and Senate Bills have to be out of Senate Committees. Our sole department bill is already safe from the funnel on the Senate side and the House will do in Committee next week (has already passed the subcommittee).

Have a great weekend!

Bev Z.

Message: RE: I sent the request to jonnie

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:10 PM
Item ID: 40861302
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **RE: I sent the request to jonnie**

From Hillary, Teresa [IWD] **Date** Monday, August 12, 2013 8:45 AM
To Alexander, Marty [IWD]
Cc Wahlert, Teresa [IWD]

 [image002.gif](#) (2 Kb HTML)

I forwarded it to the director b/c I want you to include me on the e-mail you send to Joni. As the Director pointed out, it is not a problem for you to be gone to handle personal appts or medical appts. I just need to know who is going to be here and who is not so that I can make sure that the phones, mail, ALJ needs are covered. That way I am not out by Doni and Vanessa saying, "hey, were is Marty, or Sandy?" Because we are using the paper calendar I just need to know.

Thanks much for your cooperation.

Teresa K. Hillary

Iowa Workforce Development
1000 E Grand Avenue
Des Moines IA 50319

Phone: 515.725.2683
FAX: 515.242.5144

From: Alexander, Marty [IWD]
Sent: Monday, August 12, 2013 7:52 AM
To: Benson, Joni [IWD]; Hillary, Teresa [IWD]
Subject: I sent the request to jonnie
Importance: High

I sent this to jonnie not the director how and who sent to the director it wasn't me and I have an appointment this morning and again I informed jonnie and its at 830 and will return when I as soon as I can I hope this is okay. So please seen jonnie

Message: Re: ALJ PDQ

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:01 PM
Item ID: 40861001
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Re: ALJ PDQ**

From Wahlert, Teresa [IWD] **Date** Monday, June 10, 2013 11:10 AM
To Hillary, Teresa [IWD]
Cc

Thx

- Teresa Wahlert

On Jun 10, 2013, at 9:27 AM, "Hillary, Teresa [IWD]" <Teresa.Hillary@iwd.iowa.gov> wrote:

I do not have my PDQ, all I was able to find at home was my last performance evaluation from December 2010. I asked Jon Nelson to get a copy of the alj PDQ to you today and also let him know about your request to be directly in the loop whenever an IWD employee files for UI benefits.

Thanks much
Teresa Hillary

Message: Re: PDQ**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:06 PM
 Item ID: 40861184
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ Re: PDQ

From Wahlert, Teresa [IWD] **Date** Monday, July 22, 2013
 1:43 PM
To Mormann, Marlon [IWD]
Cc Sande, Vicky [IWD]; Lewis, Devon [IWD]; Hillary,
 Teresa [IWD]

Good idea - why don't you complete your research on this and give me a proposal of what we should begin using. We will, I assume, use some grandfathering -- but I first must see your proposal

Thanks

- Teresa Wahlert

On Jul 22, 2013, at 11:54 AM, "Mormann, Marlon [IWD]" <Marlon.Mormann@iwd.iowa.gov> wrote:

In my opinion the PDQ requirement for ALJ's Iowa law licensure is patently illegal as written.

In 1999 workforce adopted the DIA standard for ALJ licensing.

871-

26.14([17A,96](#))

Conduct of hearings.

26.14(1)

Each contested case hearing shall be heard and decided by a presiding officer who is an administrative law judge.

a.

All contested case hearings except as provided in paragraphs "b" and "c" below shall be heard and decided by an administrative law judge employed by the department of workforce development. The qualifications for administrative law judges employed by the department of workforce development shall be the same as the qualifications for administrative law judges employed by the division of administrative hearings of the department of inspections and appeals.

The DIA standard requires only newly

employed ALJ's to have an Iowa license to practice law.

10A.801 DIVISION OF ADMINISTRATIVE HEARINGS --
CREATION, POWERS, DUTIES.

6. After July 1, 1999, a person shall not be newly employed by the division as an administrative law judge to preside over contested case proceedings unless that person has a license to practice law in this state.

This requirement only applies to contested case proceedings.

17A.2 DEFINITIONS.

5. "*Contested case*" means a proceeding including but not restricted to ratemaking, price fixing, and licensing in which the legal rights, duties or privileges of a party are required by Constitution or statute to be determined by an agency after an opportunity for an evidentiary hearing.

871—26.2

(17A.96)

Definitions.

Terms defined in the Iowa employment security law and the Iowa administrative procedure Act and which are used in these rules shall have the same meaning as provided by such laws. In addition, the following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"Contested case"

means a proceeding defined in Iowa Code section 17A.2(5) and includes any matter defined as a no factual dispute contested case in 1998 Iowa Acts, chapter 1202, section 14. It specifically includes any appeal from a determination of a representative of the department or any appeal or request for a hearing by an employer or employing unit from an experience rating, charge determination or other decision affecting its liability. Except as provided in subrule 26.17(5), a final decision of the employment appeal board of the department of inspections and appeals shall constitute final agency action. A presiding officer's decision shall be the final decision of the department if there is no appeal therefrom to the employment appeal board of the department of inspections and appeals.

To complicate matters, there is no definition of "newly employed". Is this the start date with the state or as an ALJ? Dan Anderson went from an ALJ3 to ALJ2 well after 1999. Dan had no license.

The DIA statute is also ambiguous as it does not indicate that once hired the ALJ shall maintain licensure.

I suggest we solicit ALJ job descriptions as modified over the last 13 years. This may reveal agency interpretation and perhaps resolve legal impediments.

My opinions may change based on receipt of additional information.

Please advise.

Marlon Mormann, Administrative Law Judge
515-265-3512

From: Sande, Vicky [IWD]
Sent: Friday, July 19, 2013 3:36 PM
To: Mormann, Marlon [IWD]
Subject: PDQ

Please review PDQ, sign, date and return back to me. Thank you.

Vicky Sande
Human Resources Associate
Iowa Workforce Development
Employee Services
Phone: 515/281-5902 Fax: 515/281-7596

Message: Re: Appeals

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:08 PM
Item ID: 40861257
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Re: Appeals**

From Wahlert, Teresa [IWD] **Date** Thursday, August 01, 2013 3:07 PM
To Hillary, Teresa [IWD]
Cc

Ok

- Teresa Wahlert

On Aug 1, 2013, at 3:06 PM, "Hillary, Teresa [IWD]" <Teresa.Hillary@iwd.iowa.gov> wrote:

Joni Benson would be the person. She has master list of all equipment even the equipment all ALJ's have at home.

From: Wahlert, Teresa [IWD]
Sent: Thursday, August 01, 2013 3:03 PM
To: Hillary, Teresa [IWD]
Subject: Fwd: Appeals

Suggestion?

- Teresa Wahlert

Begin forwarded message:

From: "Taylor, Kelly [IWD]" <Kelly.Taylor@iwd.iowa.gov>
Date: August 1, 2013, 11:31:29 AM CDT
To: "Wahlert, Teresa [IWD]" <Teresa.Wahlert@iwd.iowa.gov>
Subject: FW: Appeals

Who should we contact in Appeals regarding doing a physical inventory of their equipment?

Kelly R. Taylor,
Bureau Chief, Financial Management
Iowa Workforce Development
Office: 515-281-4263, Cell: 515-201-0490

From: Pappas, Brenda [IWD]
Sent: Thursday, August 01, 2013 10:50 AM
To: Taylor, Kelly [IWD]
Subject: Appeals

Who's in charge of Appeals now? I need an inventory list back from them.

Brenda Pappas
Accountant 2, Financial Management
Iowa Workforce Development
(515)281-7981

Message: Re: Tip Sheet properly named**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:00 PM
 Item ID: 40860969
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ Re: Tip Sheet properly named

From Wahlert, Teresa [IWD]

Date Thursday,
June 06, 2013 10:37
AM

To Walsh, Joseph [IWD]

Cc Lewis, Devon [IWD]; Hillary, Teresa [IWD]; Eklund, David [IWD]; Wilkinson, Michael [IWD]; West, Ryan [IWD]; Bervid, Joseph [IWD]; Olivencia, Nicholas [IWD]

You should wait to resend. First get everyone's input

- Teresa Wahlert

On Jun 6, 2013, at 10:33 AM, "Walsh, Joseph [IWD]" <Joseph.Walsh@iwd.iowa.gov> wrote:

I will adopt most of these changes and re-send. I think most of your changes are clearer.

From: Lewis, Devon [IWD]

Sent: Thursday, June 06, 2013 10:30 AM

To: Walsh, Joseph [IWD]; Hillary, Teresa [IWD]; Eklund, David [IWD]; Wilkinson, Michael [IWD]; West, Ryan [IWD]; Bervid, Joseph [IWD]; Olivencia, Nicholas [IWD]

Cc: Wahlert, Teresa [IWD]

Subject: RE: Tip Sheet properly named

Here are my suggested changes. No criticism, just a different writing style.

From: Walsh, Joseph [IWD]

Sent: Wednesday, June 05, 2013 4:14 PM

To: Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Eklund, David [IWD]; Wilkinson, Michael

[IWD]; West, Ryan [IWD]; Bervid, Joseph [IWD]; Olivencia, Nicholas [IWD]

Cc: Wahlert, Teresa [IWD]

Subject: Tip Sheet properly named

I am not a sensitive person. Feel free to critique openly. ☺

Joseph L. Walsh

Chief Administrative Law Judge

Unemployment Insurance Appeals

1000 East Grand Avenue

Des Moines, Iowa 50319

Phone: (515) 281-8119

joseph.walsh@iwd.iowa.gov

Message: Re: ALJ home office phones

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:06 PM
Item ID: 40861192
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Re: ALJ home office phones**

From Wahlert, Teresa [IWD]

Date Tuesday, July 23,
2013 4:17 PM

To Lewis, Devon [IWD]

Cc Bateman, Gary [IWD]; Cooper, Renee [IWD]; Hillary,
Teresa [IWD]; Benson, Joni [IWD]

Fine

- Teresa Wahlert

On Jul 23, 2013, at 9:54 AM, "Lewis, Devon [IWD]" <Devon.Lewis@iwd.iowa.gov> wrote:

Many thanks to Renee and Gary for tracking down the information about ALJ home office phone options.

The current phone provider monthly charge per line is \$24.95 and does not offer call forward or frequently needed 6-way calling to more than half of the ALJs, which requires them to use the cumbersome and limited ICN conference calling.

Windstream would charge \$26.45 per month including 6-way calling for all ALJs, call forward on busy lines, and call trace blocking. The long distance rate is 2 cents per minute, half that of the ICN.

Unless the Director has an objection, I would like to move ALJ home office phone service and long distance to Windstream.

Devon

Message: Re: ALJs phones**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:05 PM
 Item ID: 40861172
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ Re: ALJs phones

From Wahlert, Teresa [IWD] **Date** Monday, July 22, 2013 8:58 AM
To Bateman, Gary [IWD]
Cc Hillary, Teresa [IWD]

Gary -please sit down with Teresa Hillary TODAY and get this resolved. I would like to hear the resolution today at 3. We should have just a single resolution

- Teresa Wahlert

On Jul 22, 2013, at 5:04 AM, "Bateman, Gary [IWD]" <Gary.Bateman@iwd.iowa.gov> wrote:

> Teresa,
 >
 > Our options are limited. If we unblock the line the name and number is sent out. We can specify what goes on the name but the number is the number. I thought we might be able to designate numbers as outbound only but I checked and that is not possible. Let me know which way they prefer.

>
 > Thanks,
 > Gary

>
 > -----Original Message-----
 > From: Bateman, Gary [IWD]
 > Sent: Thursday, July 11, 2013 4:52 PM
 > To: Wahlert, Teresa [IWD]
 > Subject: RE: ALJs phones

>
 > Here's what I understand. I can either have a phone line blocked or unblocked. If it is unblocked the phone company sends out both an alphabetic string and the phone number. When it is received by a land line it shows as name and number. When it is received by a cell

phone it generally shows as number only. According to the phone company, they do not have the ability to send the alpha string only. If it is unblocked both the alpha string and the number will show.

>

> The ALJ's do not want their number showing because they do not want people calling them back. The only way the number does not show is if the number is blocked.

>

> I did think of one other thing. I think it is possible to designate a phone line as outbound only. If that is possible no one could call them back even if the number shows. Would that be acceptable or do they need to receive calls, as well?

>

> Thanks,

> Gary

>

> -----Original Message-----

> From: Wahlert, Teresa [IWD]

> Sent: Thursday, July 11, 2013 3:15 PM

> To: Bateman, Gary [IWD]

> Subject: ALJs phones

>

> Updates??

>

> - Teresa Wahlert

Message: Re: ALJs phones

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:05 PM
Item ID: 40861173
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Re: ALJs phones**

From Wahlert, Teresa [IWD] **Date** Monday, July 22, 2013 9:24 AM
To Bateman, Gary [IWD]
Cc Hillary, Teresa [IWD]

Gary - see me at 2:45

- Teresa Wahlert

On Jul 22, 2013, at 6:59 AM, "Bateman, Gary [IWD]" <Gary.Bateman@iwd.iowa.gov> wrote:

> Teresa,

>

> I'm out of the office this morning. Will be back early afternoon. I'll call you then.

>

> Gary

>

> Sent from my iPhone

>

> On Jul 22, 2013, at 8:57 AM, "Wahlert, Teresa [IWD]" <Teresa.Wahlert@iwd.iowa.gov> wrote:

>

>> Gary -please sit down with Teresa Hillary TODAY and get this resolved. I would like to hear the resolution today at 3. We should have just a single resolution

>>

>> - Teresa Wahlert

>>

>> On Jul 22, 2013, at 5:04 AM, "Bateman, Gary [IWD]" <Gary.Bateman@iwd.iowa.gov> wrote:

>>

>>> Teresa,

>>>

>>> Our options are limited. If we unblock the line the name and number is sent out. We can specify what goes on the name but the number is the number. I thought we might be able to designate numbers as outbound only but I checked and that is not possible. Let me know which way they prefer.

>>>

>>> Thanks,

>>> Gary

>>>

>>> -----Original Message-----

>>> From: Bateman, Gary [IWD]

>>> Sent: Thursday, July 11, 2013 4:52 PM

>>> To: Wahlert, Teresa [IWD]

>>> Subject: RE: ALJs phones

>>>

>>> Here's what I understand. I can either have a phone line blocked or unblocked. If it is unblocked the phone company sends out both an alphabetic string and the phone number. When it is received by a land line it shows as name and number. When it is received by a cell phone it generally shows as number only. According to the phone company, they do not have the ability to send the alpha string only. If it is unblocked both the alpha string and the number will show.

>>>

>>> The ALJ's do not want their number showing because they do not want people calling them back. The only way the number does not show is if the number is blocked.

>>>

>>> I did think of one other thing. I think it is possible to designate a phone line as outbound only. If that is possible no one could call them back even if the number shows. Would that be acceptable or do they need to receive calls, as well?

>>>

>>> Thanks,

>>> Gary

>>>

>>> -----Original Message-----

>>> From: Wahlert, Teresa [IWD]

>>> Sent: Thursday, July 11, 2013 3:15 PM

>>> To: Bateman, Gary [IWD]

>>> Subject: ALJs phones

>>>

>>> Updates??

>>>

>>> - Teresa Wahlert

Message: Re: ALJ Writing Days - 2013

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:13 PM
Item ID: 40861360
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ Re: ALJ Writing Days - 2013

From Wahlert, Teresa [IWD] **Date** Thursday, August 15, 2013
8:01 PM
To Benson, Joni [IWD]
Cc Hillary, Teresa [IWD]; Castillo, Lisa [IWD]

Thanks Joni --

I will be having ALJ staff meetings every 2 weeks on Fridays at 1 pm beginning on the first Friday after Labor Day.

- Teresa Wahlert

On Aug 15, 2013, at 5:03 PM, "Benson, Joni [IWD]" <Joni.Benson@iwd.iowa.gov> wrote:

<image001.gif>
Director Wahlert,

I have attached the ALJ Staff Meeting/ALJ Writing Day scheduled through the end of 2013. I want you to be aware that UI Hearings have been scheduled for ALJs through September 17th. If we are going to make a change in the meeting dates and times, in the interest of what is best for the parties involved, I would suggest that we not change anything prior to September 17th so we do not have to reschedule hearings. Some of these cases are hearings that have already been rescheduled.

Thank you,

Joni K. Benson

Iowa Workforce Development – UI Appeals
1000 E. Grand
Des Moines IA 50319
Phone: 515.281.8484
FAX: 515.242.5144
joni.benson@iwd.iowa.gov



BE GREEN – Please consider the environment before printing this e-mail.

<2013.xlsx>

Message: Policy

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:27 PM
Item ID: 40861738
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Policy**

From Wahlert, Teresa [IWD] **Date** Tuesday, November 05, 2013 9:42 AM
To Hendricksmeier, Bonny [IWD]
Cc Lewis, Devon [IWD]; Wise, Steve [IWD]; Hillary, Teresa [IWD]

Please explain the substantial level of misconduct that would uphold the denial of unemployment benefits - Considering a published policy that prohibits off-duty conduct that either reflects poorly on the bank or causes management to lose faith in the employee? Let's suppose an employee was charged with trespassing and resisting arrest in quite a public venue, plus a charge of soliciting a police officer plus admitting to being under the influence. All publicly documented.

Because I am trying to understand the legal requirements, I would like you to prepare a tip sheet for employers on this topic - I would like to see the draft by next week. Thanks.

- Teresa Wahlert

Message: Re: Policy

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:27 PM
Item ID: 40861740
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Re: Policy**

From Wahlert, Teresa [IWD] **Date** Tuesday, November 05, 2013 10:17 AM
To Hendricksmeier, Bonny [IWD]
Cc Lewis, Devon [IWD]; Wise, Steve [IWD]; Hillary, Teresa [IWD]

Certainly a social gathering - with thousands. So I am asking you to write the tip sheet for employers for guidance on company policies for employees to understand what rises to the level of upholding the denial of unemployment benefits.

Thank you

- Teresa Wahlert

> On Nov 5, 2013, at 9:45 AM, "Hendricksmeier, Bonny [IWD]"
<Bonny.Hendricksmeier@iwd.iowa.gov> wrote:

>

> My decision in this case was based on the employer's policy which prohibits behavior which would reflect poorly on the company "at company sponsored events or social gatherings." In this case the claimant's behavior occurred in neither of these circumstances.

>

> -----Original Message-----

> From: Wahlert, Teresa [IWD]

> Sent: Tuesday, November 05, 2013 9:42 AM

> To: Hendricksmeier, Bonny [IWD]

> Cc: Lewis, Devon [IWD]; Wise, Steve [IWD]; Hillary, Teresa [IWD]

> Subject: Policy

>

> Please explain the substantial level of misconduct that would uphold the denial of unemployment benefits - Considering a published policy that prohibits off-duty conduct that either reflects poorly on the bank or causes management to lose faith in the employee? Let's suppose an employee was charged with trespassing and resisting arrest in quite a public venue, plus a charge of soliciting a police officer plus admitting to being under the influence. All publicly documented.

>

> Because I am trying to understand the legal requirements, I would like you to prepare a tip sheet for employers on this topic - I would like to see the draft by next week.

Thanks.

>

> - Teresa Wahlert

Message: RE: Assistance Needed

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:11 PM
Item ID: 40861323
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **RE: Assistance Needed**

From Hillary, Teresa [IWD] **Date** Monday, August 12, 2013 3:02 PM
To Wahlert, Teresa [IWD]
Cc

Yep, I sent to him, he's in the loop. Myra gave him copies of the ones that came back today. Mike and I have been communicating in a separate e-mail stream. He thinks the change was made last wed. Aug7. I gave him the envelopes postmarked after that date to show we still had a problem. I have forwarded to the ALJ who has cases with the employer, the employer's continuance request. All the ALJs should now know that this employer did not get the hearing notices which is good grounds for a continuance or to reopen the record if they missed the hearing.

Teresa K. Hillary

Iowa Workforce Development
1000 E Grand Avenue
Des Moines IA 50319

Phone: 515.725.2683
FAX: 515.242.5144

From: Wahlert, Teresa [IWD]
Sent: Monday, August 12, 2013 2:59 PM
To: Hillary, Teresa [IWD]; Wilkinson, Michael [IWD]
Cc: Baughman, Myra [IWD]; Alexander, Marty [IWD]; Anderson, Donnell [IWD]; Benson, Joni [IWD]; Oatts, Sandra [IWD]; Ziegler, Vanessa [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice,

Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]

Subject: Re: Assistance Needed

Mike wilkinson

- Teresa Wahlert

On Aug 12, 2013, at 11:31 AM, "Hillary, Teresa [IWD]" <Teresa.Hillary@iwd.iowa.gov> wrote:

Myra,

I knew when you mentioned TPI that I had seen that recently. We need to get the notices mailed again to the ER. Any notice that is mailed again today, the ALJ needs to be notified that the Er may be getting the notice late. Pls. resend all the notices that came back as undeliverable. Who in tax do we talk to TODAY to get the information in the tn3270 changed?

Teresa K. Hillary

Iowa Workforce Development

1000 E Grand Avenue

Des Moines IA 50319

Phone: 515.725.2683

FAX: 515.242.5144

From: Wahlert, Teresa [IWD]

Sent: Friday, August 02, 2013 9:36 AM

To: Wilkinson, Michael [IWD]; Hillary, Teresa [IWD]

Subject: Fwd: Assistance Needed

Please make certain we are using the appropriate address for this company.

- Teresa Wahlert

Begin forwarded message:

From: "Williams, Danielle" <DWilliams@tpicomposites.com>

Date: August 2, 2013, 7:55:35 AM CDT

To: "Wahlert, Teresa [IWD]" <Teresa.Wahlert@iwd.iowa.gov>, "Rock, Terri" <TRock@tpicomposites.com>

Subject: RE: Assistance Needed

2300 N 33rd Ave E

Newton 50208

-----Original Message-----

From: Wahlert, Teresa [IWD] [<mailto:Teresa.Wahlert@iwd.iowa.gov>]
Sent: Friday, August 02, 2013 7:45 AM
To: Rock, Terri
Cc: Williams, Danielle
Subject: Re: Assistance Needed

What is the correct address to use?

- Teresa Wahlert

On Aug 1, 2013, at 8:38 PM, "Rock, Terri"
<TRock@tpicomposites.com<<mailto:TRock@tpicomposites.com>>> wrote:

Hi Teresa – hope your summer is going well. We really need assistance from someone on your team. For the past 2 weeks all paperwork for unemployment claims have been going to a former PO Box that TPI had 2 years ago which is now closed. We have been unsuccessful in getting this forwarded to us from the postal service. Can you please have a member of your staff get in contact with us when this has been resolved. We haven't been able to respond to or participate in unemployment telephone hearings. Thank you.

Terri

Terri Rock
Human Resources Manager
Direct: 641-791-3505
Mobile: 641-781-0400
Fax: 641-791-3552

<image001.png>

Note: This message and any attachments is intended solely for the use of the individual or entity to which it is addressed and may contain information that is non-public, proprietary, legally privileged, confidential, and/or exempt from disclosure. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the original sender immediately by telephone or return email and destroy or delete this message along with any attachments immediately.

Note: This message and any attachments is intended solely for the use of the individual or entity to which it is addressed and may contain information that is non-public, proprietary, legally privileged, confidential, and/or exempt from disclosure. If you are not the intended recipient, you

are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the original sender immediately by telephone or return email and destroy or delete this message along with any attachments immediately.
