

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ELIZABETH PORTZ
Claimant

USDA/EQUIFAX
Employer

APPEAL 19A-UI-01556-CL-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 01/06/19
Claimant: Appellant (4)**

Iowa Code § 96.4(3) – Ability to and Availability for Work
Iowa Admin. Code r. 871-24.23(26) – Able & Available – Availability Disqualifications
Iowa Code § 96.19(38)a & b – Total and Partial Unemployment
Iowa Code § 96.7(2)a(2) – Same Base Period Employment

STATEMENT OF THE CASE:

The claimant filed an appeal from the February 15, 2019, (reference 02) unemployment insurance decision that denied benefits. The parties were properly notified about the hearing. A telephone hearing was held on March 7, 2019. Claimant participated. Employer sent a letter stating it was not the correct employer and did not participate. Official notice was taken of the administrative record.

ISSUES:

Is the claimant eligible to receive partial benefits?
Is the claimant able to and available for work?
Is the claimant still employed at the same hours and wages?
Is the employer's account subject to charge?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant worked for and was paid wages by the National Association of State Departments (082387) and has not received wages directly from the United States Department of Agriculture. Claimant did not work at all during the three weeks ending January 26, 2019, and did not earn any wages. Claimant did not receive back pay for this time period.

Iowa Workforce Development has issued a reference 01 decision finding claimant is eligible for benefits based on her temporary layoff with National Association of State Departments. That decision remains in effect.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge has reviewed the records and files herein and concludes that the representative's decision shall be modified without prejudice to either party because claimant never worked for this employer.

DECISION:

The February 15, 2019, (reference 02) unemployment insurance decision is modified without prejudice to either party as claimant never worked for this employer. The reference 01 decision referencing the correct employer and allowing claimant benefits remains in effect.

Christine A. Louis
Administrative Law Judge
Unemployment Insurance Appeals Bureau
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Decision Dated and Mailed

cal/scn