

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**PHILLIP WALKER**  
Claimant

**APPEAL NO: 06A-UI-09316-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**GENUINE PARTS CO**  
Employer

**OC: 06/11/06 R: 02**  
**Claimant: Respondent (5/R)**

Section 96.6(3) - Appeals  
Section 96.7 - Employer Liability - Wrong Employer Noticed

**STATEMENT OF THE CASE:**

Genuine Parts Company (employer) appealed an unemployment insurance decision dated September 18, 2006, reference 01, which held that Phillip Walker (claimant) was eligible for unemployment insurance benefits. Due notice was issued scheduling the matter for a telephone hearing to be held October 4, 2006. Prior to a hearing being held, it was determined the wrong employer had been listed and the claimant never worked for the employer herein.

**ISSUE:**

The issue is whether a hearing in this matter is necessary?

**FINDINGS OF FACT:**

The administrative law judge, having reviewed and considered all of the evidence in the record, finds that: The notice of claim was sent to the incorrect employer but benefits were allowed. The representative for the wrong employer filed an appeal stating it is unable to locate records for the claimant.

The claimant worked for Napa Auto Parts in Hampton, Iowa, for approximately seven days at the end of August 2006. His supervisor was Tom Haviland. The employer herein indicates it does not have any stores in Hampton, Iowa, and believes this Napa Auto Parts Store may be independently owned.

**REASONING AND CONCLUSIONS OF LAW:**

A hearing is not necessary in this matter as the qualifying decision and resulting appeal were filed in error. The administrative law judge has reviewed the records and files herein and concludes that the original decision should be vacated and the appeal should be dismissed as to Genuine Parts Company, Napa Auto Parts.

This case is remanded to the Claims Section for a proper determination as to the claimant's eligibility for benefits based on the correct employer.

**DECISION:**

The unemployment insurance decision dated September 18, 2006, reference 01, is null and void. The claimant did not work for Genuine Parts Company and no benefits shall be charged to its account. This case is remanded to the Claims Section for a determination on whether the claimant is eligible for benefits based on his separation from Napa Auto Parts in Hampton, Iowa.

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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

sda/cs