

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JOHN J MALONE
Claimant

SUSAN K MCFADDEN
MCFADDEN INSURANCE SERVICES INC
Employer

APPEAL 16A-UI-09824-DL-T
ADMINISTRATIVE LAW JUDGE
DECISION

OC: 01/03/16
Claimant: Respondent (4)

Iowa Code § 96.3(5) – Benefit Duration - Business Closing
Iowa Admin. Code r. 871-24.29(1) and (2) – Business Closing

STATEMENT OF THE CASE:

The putative employer filed a timely appeal from the August 30, 2016, (reference 01) unemployment insurance decision that found the business did not close. After due notice was issued, a telephone conference hearing was scheduled to be held on September 26, 2016. The parties responded to the hearing notice and indicated the claimant never worked for this business.

ISSUE:

Did the claimant work for this business?

FINDINGS OF FACT:

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: The record reflects and the parties agree claimant has never worked for this business (307509) and has no wage records with this business.

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 business.

DECISION:

The August 30, 2016, (reference 01) unemployment insurance decision is modified without prejudice to either party as claimant never worked for this business.

Dévon M. Lewis
Administrative Law Judge

Decision Dated and Mailed

dml/pjs