

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHARLES DOBSON
Claimant

APPEAL NO: 10A-UI-16670-BT

**ADMINISTRATIVE LAW JUDGE
DECISION**

MERCY MEDICAL CENTER – CLINTON INC
Employer

**OC: 11/07/10
Claimant: Respondent (5)**

Iowa Code § 96.7 - Employer Liability - Wrong Employer Noticed

STATEMENT OF THE CASE:

Mercy Medical Center – Clinton, Inc. (employer) appealed an unemployment insurance decision dated November 30, 2010, reference 01, which held that Charles Dobson (claimant) was eligible for unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on January 25, 2011. The claimant participated in the hearing. The employer participated through Diane Grant, Director of Human Resources. Claimant's Exhibit One was admitted into evidence. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

The issue is whether the claimant worked for this employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was given a pre-employment offer letter on October 13, 2010. The letter indicated that he would be offered a position as a nurse assistant "contingent upon successful completion of the pre-employment process." The claimant did not successfully complete the pre-employment process and was never hired. He was upset because he spent 90 minutes filling out paperwork for which he was not paid.

REASONING AND CONCLUSIONS OF LAW:

The issue is whether the claimant ever worked for the employer herein and the facts confirm that he did not. He was offered a pre-employment letter but did not successfully pass the process and was never hired.

DECISION:

The unemployment insurance decision dated November 30, 2010, reference 01, is modified with no effect. The claimant qualifies for unemployment insurance benefits, provided he is otherwise eligible and the employer's account is not subject to charge.

Susan D. Ackerman
Administrative Law Judge

Decision Dated and Mailed

sda/pjs