

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JOSE A PADUA**  
Claimant

**APPEAL NO. 10A-UI-13243-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**MANPOWER INC**  
Employer

**OC: 11/08/09**  
**Claimant: Appellant (1)**

Section 96.19(37) – Wages

**STATEMENT OF THE CASE:**

The claimant, Jose Padua, filed an appeal from a decision dated July 30, 2010, reference 01. The decision denied his request to remove wages earned from Manpower for the first and second quarters of 2009. After due notice was issued, a hearing was held by telephone conference call on November 9, 2010. The claimant participated on his own behalf and Ike Roche acted as interpreter. The employer, Manpower, did not provide a telephone number where a witness could be contacted and did not participate.

**ISSUE:**

The issue is whether the claimant may have wages removed from his reported earnings.

**FINDINGS OF FACT:**

Jose Padua filed a claim for unemployment benefits with an effective date of November 8, 2009. The records of Iowa Workforce Development showed wages reported under the claimant's social security number for the first and second quarters of 2009 from Manpower. An audit was done and Manpower confirmed the payment of those wages for that period.

Mr. Padua maintains his identity was stolen and he never worked for this employer. Although he stated he filed a report with law enforcement about the identity theft, no proof of that report was provided to the administrative law judge.

**REASONING AND CONCLUSIONS OF LAW:**

Manpower confirmed wages were paid under the claimant's social security number in 2009. The claimant's only contention is that he was a victim of identity theft but he has failed to provide evidence of this at the appeal hearing. If such proof exists it should be presented to his local Workforce Center immediately and he should request the removal of the wage credits for the first two quarters of 2009.

**DECISION:**

The representative's decision of July 30, 2010, reference 01, is affirmed. The claimant's request to remove the wage credits from Manpower cannot be granted.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/pjs