

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**EVERETT F ROWLAND**  
Claimant

**USDA/EQUIFAX**  
Employer

**APPEAL 19A-UI-01529-CL-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

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

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 03) 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.

**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 began working for National Association of State Departments in 2005 or 2006. Claimant has always been paid wages by the National Association of State Departments (082387) and has never received wages directly from the United States Department of Agriculture. Claimant was prohibited from working during the federal government shutdown of 2019. 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.

The National Association of State Departments responded to the notice of claim, but Iowa Workforce Development did not issue a decision based on its response.

**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 03) unemployment insurance decision is modified without prejudice to either party as claimant never worked for this employer.

**REMAND:**

The issue of whether claimant was allowed benefits during his temporary layoff with the National Association of State Departments (082387) as delineated in the findings of fact is remanded to the Benefits Bureau of Iowa Workforce Development for an initial investigation and determination.

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Christine A. Louis  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

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Decision Dated and Mailed

cal/scn