

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

STEPHANIE M JACKSON
Claimant

APPEAL NO. 15A-UI-04896-S2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

AMERICAN INCOME LIFE
Employer

**OC: 01/11/15
Claimant: Respondent (4)**

Independent Contractor/Employee

STATEMENT OF THE CASE:

American Income Life (employer) appealed a representative's April 14, 2015 (reference 02) decision that concluded Stephanie Jackson (claimant) was eligible to receive unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for May 13, 2015. The claimant participated personally. The employer participated by Stephanie Matus, Director of Agency Administration. Exhibit D-1 was received into evidence. The employer offered and Exhibit One was received into evidence.

ISSUE:

The issue is whether the claimant was separated from employment for any disqualifying reason.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant started working on March 26, 2015 as a full-time independent contractor. The contract was signed on March 20, 2015. She was paid commission only. There was no withholding for taxes or social security taken from her checks. The claimant ended her contract because she disagreed with the training schedule.

The claimant and the employer agree that claimant was acting as an independent contractor, not an employee, in the business relationship. Therefore, the separation from purported employment is moot.

The claimant has other wages in her base period of employment.

REASONING AND CONCLUSIONS OF LAW:

The Iowa Employment Security Law deals only with employment relationships. If the claimant is found to be an independent contractor and not an employee, the circumstances surrounding the severance of the business relationship with that company is immaterial to the claim for unemployment insurance benefits. Inasmuch as there is no dispute as to this relationship, no remand is necessary.

The claimant has other wages in her base period of employment.

DECISION:

The representative's April 14, 2015 (reference 02) decision is modified in favor of the appellant. Because the parties agreed claimant is an independent contractor, the business relationship between claimant and employer is immaterial to claimant's claim for benefits; employer account number 366708 shall not be charged for benefits.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/can