

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ABRAHAM C VOZENILEK
Claimant

APPEAL NO: 17A-UI-10359-JE-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

MAQUOKETA COUNTRY CLUB
Employer

OC: 09/24/17
Claimant: Respondent (2R)

871 IAC 26.2 - Dismissed - Not a Contested Case
Iowa Code § 96.7 - Employer Liability - Wrong Employer Noticed

STATEMENT OF THE CASE:

The employer (Maquoketa Country Club) appealed an unemployment insurance decision dated October 5, 2017, reference 02, which held that the claimant was eligible for Department Approved Training. Due notice was issued scheduling the matter for a telephone hearing to be held October 26, 2017. Kathy Seyfert, Treasurer, Board of Directors, participated in the hearing on behalf of the Maquoketa Country Club. The claimant did not respond to the hearing notice and did not participate in the hearing or request a postponement of the hearing as required by the hearing notice.

ISSUE:

The issue is whether the claimant ever worked for this employer.

FINDINGS OF FACT:

The administrative law judge, having reviewed and considered all of the evidence in the record, finds that: The notice of claim was sent to the incorrect employer. The incorrect employer filed a protest explaining the claimant did not work for them. A fact-finding interview was held on October 4, 2017, and the fact-finder found the claimant eligible for Department Approved Training.

The employer's witness testified that the claimant never worked for the Maquoketa Country Club. Because the claimant did not participate in the hearing it is not clear for whom he last worked.

REASONING AND CONCLUSIONS OF LAW:

The issue is whether the claimant ever worked for this employer.

The claimant was never employed by Maquoketa County Club (Employer Number 023045).

This case is remanded to the Claims Bureau for a determination of whether there is an appealable issue in this matter.

The administrative law judge concludes that the representative's decision shall be reversed without prejudice to either party.

DECISION:

The decision errantly listed Maquoketa Country Club as the claimant's employer but the claimant never worked for that employer. The administrative law judge concludes that the original decision should be vacated and the appeal should be dismissed as to Maquoketa Country Club. No disqualification is imposed on the claimant, and no charges shall be made to the account of this employer. The claimant did not work for Maquoketa Country Club and no benefits shall be charged to account number 023045. This case is remanded to the Claims Bureau for a determination of whether there is an appealable issue in this matter.

Julie Elder
Administrative Law Judge

Decision Dated and Mailed

je/rvs