

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JENNIFER L ROLING
Claimant

PAPA JOHNS USA INC
Employer

APPEAL 19A-UI-09415-JC-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 01/06/19
Claimant: Respondent (4R)

Iowa Admin. Code r. 871-23.19 -Employer-employee relationship

STATEMENT OF THE CASE:

The employer/appellant, Papa Johns USA Inc., filed an appeal from the November 21, 2019 (reference 04) Iowa Workforce Development ("IWD") unemployment insurance decision which allowed benefits. The parties were properly notified about the hearing. A telephone hearing was held on December 26, 2019. The claimant participated. The employer participated through Brandi Greene, senior manager of human resources.

The administrative law judge took official notice of the administrative records including the fact-finding documents. Based on the evidence, the arguments presented, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Did the claimant work for this employer as an employee?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed full-time as a team member October 14-28, 2019 for a Papa John's franchise located in Dubuque, Iowa. The franchise company is PJ Iowa LC, at 5335 Merle Hay Road, Suite 6 in Johnston, Iowa. The issue of the claimant's separation from PJ Iowa LC has not yet been adjudicated by the Benefits Bureau.

Papa Johns USA Inc. is the corporate company and does not have any locations in Iowa.

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 November 21 2019, (reference 04) unemployment insurance decision is modified without prejudice to either party as claimant never worked for this employer. **REMAND:** The claimant's October 28, 2019 separation from PJ Iowa LC is remanded to the Benefits Bureau of Iowa Workforce Development for an initial investigation and determination.

Jennifer L. Beckman
Administrative Law Judge
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Iowa Workforce Development
1000 East Grand Avenue
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Decision Dated and Mailed

jlb/scn