

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RICHARD D BOLEN**  
Claimant

**APPEAL NO: 14A-UI-00793-LT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**MIDWESTONE BANK**  
Employer

**OC: 12/22/13  
Claimant: Respondent (2)**

Iowa Code § 96.8(5) – Liability of Certain Employers (Department Error)

**STATEMENT OF THE CASE:**

Employer filed a timely appeal from the January 15, 2014, (reference 01) decision that found the employer's protest untimely and allowed benefits. After due notice was issued, a hearing was scheduled to be held on February 13, 2014. In the appeal letter and prior to the hearing, the employer reported that the claimant had never been an employee.

**ISSUE:**

Has the correct base period employer been notified of the claim?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The appeal was based upon the representative's decision finding Richard D. Bolen to be claimant's employer. The record reflects the claimant did not work for this employer, at least not during the base period with an effective claim date of December 22, 2013.

**REASONING AND CONCLUSIONS OF LAW:**

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

**DECISION:**

The January 15, 2014, (reference 01) representative's decision is reversed without prejudice to either party. Claimant shall not be allowed or denied benefits based upon this decision and Midwestone Bank (account number 008611) shall not be responsible for benefit charges on this claim.

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Dévon M. Lewis  
Administrative Law Judge

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Decision Dated and Mailed

dml/pjs