

IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

GARY L TODD
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BURLINGTON IA 52601

HOT SHOT SERVICES
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LAKE COMO FL 32157

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Appeal Number: 04A-UI-04360-S2T
OC: 03/28/04 R: 04
Claimant: Respondent (1)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319.**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

871 IAC 24.1(113)a – Separations From Employment

STATEMENT OF THE CASE:

Hot Shot Services (employer) appealed a representative's April 13, 2004 decision (reference 01) that concluded Gary Todd (claimant) was an independent contractor working on a self-employed basis. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on May 20, 2004. The claimant participated personally. The employer was represented by Jay Asbury, Attorney at Law, and participated by John Hutchings, Owner.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant worked as an independent contractor for the employer from November 2003 through March 12, 2004.

REASONING AND CONCLUSIONS OF LAW:

The parties agree that there was no employment relationship between the claimant and the employer. The claimant was an independent contractor.

DECISION:

The representative's April 13, 2004 decision (reference 01) is affirmed. There was no employment relationship between the claimant and employer.

bas/b