

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**CONRAD B HEILIG**  
Claimant

**TEGELER AUTO, INC.**  
Employer

**APPEAL 20A-UI-08402-AD-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 04/19/20  
Claimant: Respondent (2)**

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

**STATEMENT OF THE CASE:**

Tegeler Auto, Inc. (employer) appealed a representative's decision (reference 03) that allowed benefits.

After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on August 27, 2020. The claimant did not provide a telephone number where he could be reached and, therefore, did not participate. The employer participated by Office Manager Nicole Schiltz.

Official notice was taken of the administrative record.

**ISSUE:**

Whether the claimant worked for employer.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds:

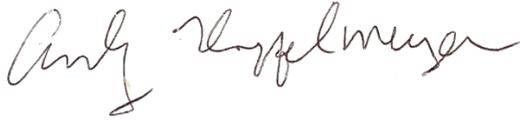
Claimant has never performed work for employer. Claimant was employed by a sister company, Kunde Enterprises. The administrative record reflects that claimant has no wages reported for employer but does have wages reported for Kunde Enterprises beginning in the fourth quarter of 2019 and ending in the fourth quarter of 2020.

**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 reversed without prejudice to either party. Claimant is not disqualified from benefits relating to employer, as he was never employed by it. By the same token, employer is not liable for benefits relating to claimant.

**DECISION:**

The representative's decision (reference 03) that allowed benefits is REVERSED without prejudice to either party. Claimant shall not be denied benefits based upon this decision and employer shall not be responsible for benefit charges.



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Andrew B. Duffelmeyer  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
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Fax (515) 478-3528

August 31, 2020  
Decision Dated and Mailed

abd/scn