

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

RICHARD W REDMOND
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DAVENPORT IA 52806

DIAL QUAD CITIES INC
109 BEACON HARBOR PKWY
EAST MOLINE IL 61244-1484

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Appeal Number: 06A-UI-06001-S2T
OC: 04/23/06 R: 04
Claimant: Appellant (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 23.19(1) - Independent Contractor/Employee

STATEMENT OF THE CASE:

Richard Redmond (claimant) appealed a representative's June 9, 2006 decision (reference 01) that concluded he was not eligible to receive unemployment insurance benefits because he was not an employee of Dial Quad Cities (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on June 28, 2006. The claimant was represented by Michael McCarthy, Attorney at Law, and participated personally. The employer was represented by Karl Huntoon, Attorney at Law, and participated by Julie Long, Business Manager.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: Claimant was acting as an independent contractor, not an employee, in his business relationship with Dial Quad Cities. The claimant prepared invoices from his company to the employer. The employer paid the claimant's business for work performed. At times the claimant paid employees of his company. No withholdings were made from the claimant's pay check. The employer did not report any wages for the claimant.

REASONING AND CONCLUSIONS OF LAW:

The Iowa Employment Security Law deals only with employment relationships. If the claimant is found to be an independent contractor and not an employee, the circumstances surrounding the severance of the business relationship with that company is immaterial to the claim for unemployment insurance benefits

DECISION:

he representative's June 9, 2006 decision (reference 01) is affirmed. The parties agreed claimant is an independent contractor, the business relationship between claimant and Dial Quad Cities is immaterial to claimant's claim for benefits and employer account number 290663 shall not be charged for benefits.

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