

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

**ARAM A PIERCE**  
Claimant

**APPEAL NO. 18A-UI-02303-S1-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ROC TAPROOM INC**  
Employer

**OC: 12/31/17**  
**Claimant: Respondent (1)**

Section 96.5-1 - Voluntary Quit  
Section 96.5-2-a – Discharge for Misconduct  
Section 871 IAC 23.43(9)a – Relief of Charges

**STATEMENT OF THE CASE:**

ROC Taproom (employer) appealed a representative's February 6, 2018, decision (reference 05) that concluded Aram Pierce (claimant) was separated from employment and the employer would not be relieved of charges. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for March 15, 2018. The claimant did not provide a telephone number for the hearing and, therefore, did not participate. The employer participated by Jessica Walsh, Director of Human Resources.

**ISSUE:**

The issue is whether the employer's account may be relieved of charges.

**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 for Bistros and More during his base period of employment. Bistros and More was purchased by the employer on June 28, 2017. The employer asserts it is a successor employer of Bistros and More. The employer has no information about the claimant. The claimant filed for unemployment insurance benefits with an effective date of December 31, 2017. He has received no unemployment insurance benefits.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow the administrative law judge concludes the employer will not be granted relief of charges.

Iowa Admin. Code r. 871-23.43(9)(a) provides, in part:

(9) Combined wage claim transfer of wages.

a. Iowa employers whose wage credits are transferred from Iowa to an out-of-state paying state under the interstate reciprocal benefit plan as provided in Iowa Code section 96.20 will be liable for charges for benefits paid by the out-of-state paying state. No reimbursement so payable shall be charged against a contributory employer's account for the purpose of Iowa Code section 96.7, unless wages so transferred are sufficient to establish a valid Iowa claim, and such charges shall not exceed the amount that would have been charged on the basis of a valid Iowa claim. However, an employer who is required by law or by election to reimburse the trust fund will be liable for charges against the employer's account for benefits paid by another state as required in Iowa Code section 96.8(5), regardless of whether the Iowa wages so transferred are sufficient or insufficient to establish a valid Iowa claim. Benefit payments shall be made in accordance with the claimant's eligibility under the paying state's law. Charges shall be assessed to the employer which are based on benefit payments made by the paying state.

The employer did not provide any evidence regarding the claimant's separation from employment or why the employer should be granted relief of charges. The employer will not be granted relief of charges.

**DECISION:**

The representative's February 6, 2018 decision (reference 05) is affirmed. The employer will not be granted relief of charges.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

bas/rvs