

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JEANNE M PUESCHEL
Claimant

YRC INC
Employer

APPEAL 21A-UI-12232-S2-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 03/14/21
Claimant: Appellant (4R)

Iowa Code § 96.6(3) – Previous Adjudication

STATEMENT OF THE CASE:

The claimant filed an appeal from the May 5, 2021, (reference 01) unemployment insurance decision that found claimant was not eligible for unemployment benefits because the separation from employment had been previously adjudicated in a prior claim year. The parties were properly notified about the hearing. A telephone hearing was held on July 7, 2021. Claimant Jeanne M. Pueschel participated and testified. Employer YRC, Inc. participated through operations manager Jennifer Porter. During the hearing, employer witness indicated that this was the wrong employer. Employer's Exhibits 1 and 2 were received. The administrative law judge took official notice of the administrative record.

ISSUES:

Was the issue adjudicated in a prior unemployment insurance decision?
Did the decision on appeal list an incorrect employer?

FINDINGS OF FACT:

Claimant filed a claim for benefits with an effective date of March 15, 2020, and reactivated the claim on February 28, 2021, after her March 2, 2021 separation from a successor employer, YRC Enterprise Services. An initial decision dated April 20, 2021 (OC: 03/15/20, reference 02) denied benefits to the claimant. However, the record reflects and the parties agree that claimant worked for this employer YRC, Inc. (account number 015080) from August 11, 2020, until December 26, 2020. That separation has been addressed in an April 20, 2021 (OC: 03/15/20, reference 02) decision. Subsequently, this employer, YRC, Inc. merged with YRC Enterprise Services, Inc. and YRC Enterprise Services, Inc. became claimant's employer. Claimant then worked for YRC Enterprise Services, Inc. until a separation on March 2, 2021. The correct employer for the March 2, 2021, separation is YRC Enterprise Services, Inc. (account number 596658). The administrative law judge modified that decision without prejudice to either party because claimant did not work for this employer, YRC, Inc., at the time of the March 2, 2021, separation and remanded that separation issue for an investigation and determination. See 21A-UI-11079-S2-T.

REASONING AND CONCLUSIONS OF LAW:

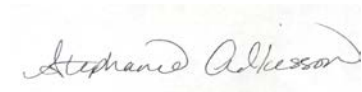
The administrative law judge has reviewed the records and files herein and concludes that the representative's decision shall be modified without prejudice to either party because claimant did not work for this business entity at the time of her March 2, 2021, separation.

DECISION:

The May 5, 2021, (reference 01) unemployment insurance decision is modified without prejudice to either party as the incorrect employer was named and claimant did not work for this entity at the time of her March 2, 2021, separation.

REMAND:

The issue of whether claimant's separation from employment was previously adjudicated based on the actual employer YRC Enterprise Services, Inc. (account number 596658) as delineated in the findings of fact is remanded to the Benefits Bureau of Iowa Workforce Development for an initial investigation and determination.



Stephanie Adkisson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

July 20, 2021
Decision Dated and Mailed

sa/scn