

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JEANNE M PUESCHEL
Claimant

YRC INC
Employer

APPEAL 21A-UI-11079-S2-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 03/15/20
Claimant: Appellant (4R)

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

STATEMENT OF THE CASE:

Claimant filed an appeal from the April 20, 2021, (reference 01) unemployment insurance decision that denied benefits based upon a voluntary quit. The parties were properly notified of the hearing. A telephone hearing was held on July 7, 2021, and was consolidated with the hearing for appeals 21A-UI-11081-S2-T and 21A-UI-12232-S2-T. 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.

ISSUE:

Did the decision on appeal list an incorrect employer?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: 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 (reference 01) decision. Subsequently, 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 separation from that employer has not yet been determined by the IWD Benefits Bureau.

REASONING AND CONCLUSIONS OF LAW:

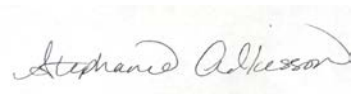
The administrative law judge has reviewed the records and files herein and concludes that the representative's decision shall be modified without prejudice to either party because claimant did not work for this business entity at the time of her March 2, 2021, separation.

DECISION:

The April 20, 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 separation issue related to 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