

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ROBERT L BURNS

Claimant

APPEAL NO. 16A-UI-05411-TN-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

IOWA SAVINGS BANK

Employer

OC: 03/06/16

Claimant: Appellant (2)

Section 96.6(2) – Notification of Interested Parties

STATEMENT OF THE CASE:

Robert Burns, the claimant, filed a timely appeal from a representative's decision dated May 4, 2016 (reference 03) which held claimant not eligible to receive unemployment insurance benefits from April 10, 2016 through February 4, 2017 because the claimant received a lump sum pension payment. A hearing was scheduled for May 26, 2016 but not held because it was not necessary. The administrative law judge has taken official notice of the Agency's administrative file.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: In the Agency's representative's decision, dated May 4, 2016 (reference 03), the Agency representative erroneously listed Iowa Savings Bank as an interested party to the claim. The claimant and this employer have had no employment relationship. The claimant brought the error to the attention of the administrative law judge through the appeal process, and stated his belief that the Agency had issued a letter indicating that Iowa Savings Bank was an interested party and was done in error.

REASONING AND CONCLUSIONS OF LAW:

When Iowa Workforce Development enters a decision affecting a claim for benefits, the Agency is required to notify the interested parties. See Iowa Code Section 96.6. Iowa Savings Bank was erroneously included as an interested party in a decision dated May 4, 2016 (reference 03) but is not an interested party. It appears that a review of the Agency's file that the correct employer on this claim is Employer's Mutual Casualty Company in care of TALX UCM Services, Inc., PO Box 283, Saint Louis, Missouri 63166-0283, account number 008997-000. The administrative law judge also notes that an Agency representative has entered a decision on what appears to be the same eligibility issue for the claimant, referencing the correct employer as Employer's Mutual Casualty Company (See Appeal No. 16A-UI-05413-TN-T).

DECISION:

The representative's decision, dated May 4, 2016 (reference 03), is reversed without prejudice either to the claimant or Employer's Mutual Casualty Company. Iowa Savings Bank account shall not be charged for benefits paid to this claimant. A decision shall be issued on the issue of whether Mr. Burns received disqualifying pension pay, based upon a hearing also held on May 26, 2016 which identified Employer's Mutual Casualty Company as the correct employer.

Terence P. Nice
Administrative Law Judge

Decision Dated and Mailed

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