

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ISRAEL ESPINOZA**  
Claimant

**APPEAL NO. 11A-UI-01614-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**STAFFING SOLUTIONS SOUTHEAST INC  
WEITZ INDUSTRIAL, LLC**  
Employer

**OC: 11/14/10  
Claimant: Respondent (5)**

Section 96.5 – Separations From Employment

**STATEMENT OF THE CASE:**

Staffing Solutions Southeast, Inc. filed an appeal from an unemployment insurance decision dated January 20, 2011, reference 02, that allowed benefits to the claimant and indicated that the claimant's employment ended on November 29, 2010. The appeal did not challenge the allowance of benefits. It raised the issue of whether it or Weitz Industrial, LLC was the claimant's employer in November of 2010. After reviewing all matters of record, the administrative law judge concludes that a formal hearing is not required.

**ISSUE:**

What employer laid off the claimant on November 29, 2010?

**FINDINGS OF FACT:**

Having examined all matters of record, the administrative law judge finds: This appeal was filed on behalf of Staffing Solutions Southeast, Inc. by TALX UC eXpress, its third party representative. TALX UC eXpress is also the third party representative of Weitz Industrial, LLC. The assertion in the appeal letter is corroborated by agency wage records. The claimant's sole employer in the fourth quarter of 2010 was Weitz Industrial, LLC.

**REASONING AND CONCLUSIONS OF LAW:**

As noted above, this is not an appeal of the allowance of benefits. It is merely a request to correct the prior decision to properly identify the employer. The evidence in this record persuades the administrative law judge that Weitz Industrial, LLC., not Staffing Solutions Southeast, Inc., was the employer who laid off the claimant on November 29, 2010.

**DECISION:**

The unemployment insurance decision dated January 20, 2011, reference 02, is modified. The employer who may be charged as the result of this separation from employment is Weitz Industrial, LLC. Benefits shall not be charged to the account of Staffing Solutions Southeast, Inc. The claimant is entitled to receive unemployment insurance benefits, provided he is otherwise eligible.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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