

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RYAN M PIXLER
Claimant

APPEAL NO. 17A-UI-00673-S1T

**ADMINISTRATIVE LAW JUDGE
DECISION**

DOHORTY STAFFING
Employer

OC: 06/26/16
Claimant: Respondent (2)

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

STATEMENT OF THE CASE:

Doherty Staffing Solutions (employer) appealed a representative's January 17, 2017, decision (reference 06) that concluded Ryan Pixler (claimant) was eligible to receive unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on February 9, 2017. The claimant did not provide a telephone number where he could be reached and, therefore, did not participate. The employer participated by Glenda Niemiec, Unemployment Insurance Administrator. Exhibit D-1 was received into evidence.

ISSUE:

The issue is whether the claimant was separated from employment for any disqualifying reason.

FINDINGS OF FACT:

Having reviewed all of the testimony and evidence in the record, the administrative law judge finds: The claimant filed his claim for unemployment insurance benefits with an effective date of June 26, 2016. The claimant told the agency he worked for Doherty Staffing and misspelled the employer's name. The agency sent a notice of claim to Doherty Staffing Solutions. An employee of Doherty Staffing Solutions knew the claimant was not employed with them but was employed with Azule Staffing. She sent the notice of claim to the claimant's employer, Azule Staffing at 3459 Washington Drive, suite 208, Eagan, Minnesota. Azule Staffing completed the notice of claim and returned it to the agency. A representative's decision was issued on January 17, 2017, reference 06, which indicated Doherty Staffing was the claimant's employer. The claimant has never worked for Doherty Staffing/Doherty Staffing Solutions (employer number 351435).

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 reversed without prejudice to either party.

DECISION:

The representative's January 17, 2017, decision (reference 06) is reversed without prejudice to either party. The claimant shall not be denied benefits based upon this decision and Doherty Staffing/Doherty Staffing Solutions (account number 351435) shall not be responsible for benefit charges.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/rvs