

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

NICHOLAS O ROLAND
Claimant

APPEAL NO. 21A-UI-23396-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

FEDERAL EXPRESS CORP
Employer

**OC: 09/05/21
Claimant: Respondent (4R)**

Iowa Code Section 96.6 – Notification of Interested Parties – Wrong Employer
Iowa Code Section 96.5(2)(a) - Discharge

STATEMENT OF THE CASE:

The named employer, Federal Express Corporation (employer account number 082660) filed a timely appeal from the October 13, 2021, reference 01, decision that allowed benefits to the claimant, provided the was otherwise eligible, and that held the named employer's account could be charged for benefits, based on the Benefits Bureau deputy's conclusion that the claimant had been discharged by the named employer on September 6, 2021 for no disqualifying reason. After due notice was issued, a hearing was held on December 13, 2021. The claimant, Nicholas Roland, did not comply with the hearing notice instructions to call the designated toll-free number at the time of the hearing and did not participate. Cindy Grant of Equifax/Talx represented the named employer. Exhibit 1 was received into evidence. The administrative law judge took official notice of the following Agency administrative records. DBRO, WAGE-A, EMP1, and the deputy's notes concerning the September 23, 2021 attempted fact-finding interview.

ISSUES:

Whether the October 13, 2021, reference 01, decision names the correct employer and employer account number.
Whether the claimant was laid off by, discharged for misconduct by, or voluntarily quit without good cause attributable to this employer.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant established an original claim for benefits that was effective September 5, 2021. At the time the claimant established the claim, the claimant indicated he had most recently been employed September 2-6, 2021 and had been discharged on September 6, 2021. The claimant provided an employer named that included a reference to Federal Express. Iowa Workforce Development erroneously associated the claim for benefits with Federal Express Corporation (employer account number 082660) and named that employer as the most recent employer and the employer in interest. The claimant has never worked for that named employer. IWD records reflect no wages reported by that named employer. IWD records reflect FedEx Ground

Package System, Inc. (employer account number 209320) reported paying \$222.00 in wages paid to the claimant during the third quarter of 2021. Equifax/Talx brought the employer name and account error to the attention of the Appeals Bureau through the appeal from the October 13, 2021, reference 01, decision.

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. Federal Express Corporation (employer account number 082660) was erroneously included as an interested party in the October 13, 2021, reference 01, decision, but is in fact not an interested party. The correct employer in interest is FedEx Ground Package System, Inc. (employer account number 209320).

Federal Express Corporation (employer account number 082660) is relieved of liability in connection with the claim.

This matter will be remanded to the Benefits Bureau for deletion of the erroneously entered October 13, 2021, reference 01, decision and for a fact-finding interview concerning the claimant's September 6, 2021 separation from the actual employer in interest FedEx Ground Package System, Inc. (employer account number 209320).

DECISION:

The October 13, 2021, reference 01, decision is modified in favor of the named employer Federal Express Corporation (employer account number 082660), as follows. Iowa Workforce Development erroneously named Federal Express Corporation (employer account number 082660) as the employer in interest. That employer is relieved of liability in connection with the claim.

This matter is **remanded** to the Benefits Bureau for deletion of the erroneously entered October 13, 2021, reference 01, decision and for a fact-finding interview concerning the claimant's September 6, 2021 separation from the actual employer in interest FedEx Ground Package System, Inc. (employer account number 209320).



James E. Timberland
Administrative Law Judge

January 18, 2022
Decision Dated and Mailed

jet/mh