

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DAWN M ANEWEER
Claimant

APPEAL NO. 15A-UI-01038-NT

**ADMINISTRATIVE LAW JUDGE
DECISION**

ALEGENT HEALTH
Employer

OC: 12/21/14
Claimant: Respondent (4)

Section 96.6(2) – Notification of Interested Parties

STATEMENT OF THE CASE:

Alegent Health filed a timely appeal from a representative's decision dated January 15, 2015, reference 04, which held claimant eligible to receive unemployment insurance benefits finding the claimant was dismissed from work on December 22, 2014 under non disqualifying conditions. After due notice was provided, a telephone hearing was scheduled on February 17, 2015 but was not held as it was not deemed necessary. The administrative law judge takes official notice of the agency's administrative file.

ISSUE:

The issue is whether the interested parties were properly notified.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds in the agency representative's decision dated January 15, 2015, reference 04, the agency representative erroneously listed Alegent Health as an interested party to the claim. The claimant and this employer have not had an employer/employee relationship. Claimant was previously employed by Alegent Health Bergan Mercy Health located in Council Bluffs, Iowa and a decision has been issued by the claims division of Iowa Workforce Development regarding the same separation from employment from Alegent Health Bergan Mercy Health as referenced in the agency's January 15, 2015, reference 04, decision listing Alegent Health as an interested party.

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. Alegent Health was erroneously included as an interested party in the decision dated January 15, 2015, reference 04, and in fact was not an interested party as no employee/employer relationship existed between Alegent Health and Dawn Aneweer. The evidence in the record establishes claimant's

employment was with Alegent Health Bergan Mercy Health located in Council Bluffs, Iowa and that that employer was correctly identified and that employer has filed an appeal regarding the claimant's separation from employment that occurred on December 22, 2014.

DECISION:

The representative's decision dated January 15, 2015, reference 04, is modified favorable to the employer. The claimant is still held to be eligible for benefits but Alegent Health's account shall not be charged for benefits to the claimant. Although this issue could be the subject of a remand so that the proper parties interested in the claim could be identified, it is unnecessary to do so as the parties have been properly identified and a hearing scheduled on the employer's appeal. (See 15A-UI-00649-NT).

Terence P. Nice
Administrative Law Judge

Decision Dated and Mailed

pjs/pjs