

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

BRITTANY A BARBER
Claimant

APPEAL NO. 18A-UI-06300-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**TRANSAMERICA FINANCIAL
LIFE INSURANCE**
Employer

OC: 08/13/17
Claimant: Respondent (4R)

Iowa Code section 96.6 – Notification of Interested Parties – Wrong Employer

STATEMENT OF THE CASE:

The employer filed a timely appeal from the May 29, 2018, reference 10, decision that allowed benefits to the claimant provided she was otherwise eligible and that held the employer's account could be charged for benefits, based on the Benefits Bureau deputy's conclusion that the claimant was discharged on May 7, 2018 for no disqualifying reason. After due notice was issued, a hearing was held on June 25, 2018. Claimant Brittany Barber did not respond to the hearing notice instructions to register a telephone number for the hearing and did not participate. Victoria Hurt, Human Resources Manager, represented the employer. The administrative law judge took official notice of the Agency's record of benefits disbursed to the claimant and received Exhibit 1 into evidence. The administrative law judge took official notice of the fact-finding materials.

ISSUE:

Whether the May 29, 2018, reference 10, decision named the correct employer in interest.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The May 29, 2018, reference 10, decision erroneously listed Transamerica Financial Life Insurance (Transamerica) (employer account number 313226) as the employer in interest. Claimant Brittany Barber is not a current or former employee of Transamerica. Ms. Barber may have performed work at Transamerica, beginning on April 10, 2018, on a temporary basis as an employee of Aerotek (potential employer account number 246849). Transamerica contracts with Aerotek to secure temporary workers. Transamerica's records reflect that Ms. Barber was expected to begin a temporary work assignment at Transamerica on April 10, 2018 as an Aerotek employee. The contact address that Transamerica has for Aerotek is 4020 42nd St. N.E., Cedar Rapids, IA 52402.

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. Transamerica Financial Life Insurance (employer account number 313226) was erroneously included as an interested employer vis-à-vis Ms. Barber's unemployment insurance claim, the May 24, 2018 fact-finding interview, and the May 29, 2018, reference 10, decision. The May 29, 2018, reference 10, decision is vacated. The employer account of Transamerica shall not be charged. Transamerica shall be removed as a named employer in interest in connection with the claim. This matter will be remanded to the Benefits Bureau for a new fact-finding interview with appropriate notice to the claimant and correct employer in interest, Aerotek, and for entry of a decision regarding the purported May 2018 separation.

DECISION:

The May 29, 2018, reference 10, decision is vacated. Transamerica Financial Life Insurance (employer account number 313226) is not an interested employer vis-à-vis the claim for benefits and shall not be charged. This matter is remanded to the Benefits Bureau for a new fact-finding interview with appropriate notice to the claimant and correct employer in interest, Aerotek, and for entry of a decision regarding the purported May 2018 separation.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs