

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ANNE M PALACIOS

Claimant

APPEAL NO. 14A-UI-03187-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

DOHERTY STAFFING SOLUTIONS

Employer

OC: 08/11/13

Claimant: Respondent (4-R)

Iowa Code § 96.6(2) – Notice of Claim

STATEMENT OF THE CASE:

Doherty Staffing Solutions appealed an unemployment insurance decision dated March 13, 2014, reference 02, that concluded the claimant had finished her work assignment. A telephone hearing was held on April 15, 2014. The parties were properly notified about the hearing. The claimant failed to participate in the hearing. Glenda Niemiec participated in the hearing on behalf of the Doherty Staffing with a witness, Cassandra Caron.

ISSUE:

Was the claimant employed by Doherty Staffing?

FINDINGS OF FACT:

The claimant was employed by Azule Staffing, LLC (Account 529563) as a quality assurance worker assigned to GKN Company from October 7, 2013, to February 20, 2014. She was paid wages by Azule Staffing LLC, and Azule Staffing LLC, reported the claimant's wages to the Agency.

When the claimant filed an additional claim effective February 23, 2014, Doherty Staffing was mistakenly listed as the claimant's last employer. Doherty Staffing mistakenly protested the claim and a decision was issued to Doherty Staffing. Doherty Staffing mistakenly appealed the decision granting benefits to the claimant even though Azule Staffing LLC was the actual employer.

REASONING AND CONCLUSIONS OF LAW:

The law provides that when a claimant files for unemployment insurance benefits, a notice of claim should be mailed to the claimant's last employer to give the employer an opportunity to protest the claim. Iowa Code § 96.6(2). In this case, the notice of claim was mistakenly mailed to Doherty Staffing.

I am remanding this case back to the Agency so that a notice of claim can be properly mailed to the claimant's last employer:

AZULE STAFFING, LLC
CINTIA RIVAS
3459 WASHINGTON DR STE 2
EAGAN MN 55122-1347

DECISION:

The unemployment insurance decision dated March 13, 2014, reference 02, is modified in favor of Doherty Staffing. This case is remanded back to the Agency so that a notice of claim can be properly mailed to the claimant's last employer, Azule Staffing LLC.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/pjs