

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ANN VANWINKLE

Claimant

APPEAL 20A-UI-08309-JC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

ALUMINUM CO OF AMERICA

Employer

OC: 04/19/20

Claimant: Appellant (2R)

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

Iowa Code § 96.19-18A(2) – Definition of Employment

STATEMENT OF THE CASE:

The claimant/appellant, Ann VanWinkle, filed an appeal from the June 30, 2020 (reference 01) Iowa Workforce Development (“IWD”) unemployment insurance decision that denied benefits. The parties were properly notified about the hearing. A telephone hearing was held on August 26, 2020. The claimant participated personally. Jon Dillon testified on behalf of the claimant. The employer, Aluminum Co of America., did not respond to the notice of hearing to furnish a phone number with the Appeals Bureau and did not participate in the hearing.

The administrative law judge took official notice of the administrative records. Based on the evidence, the arguments presented, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUES:

Did the claimant work for this employer?

Can this employer be charged for benefits paid to the claimant?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant has not worked for Aluminum of America since March 31, 2020.

Effective April 1, 2020, Aluminum Co. of America split into two companies and the claimant mostly recently worked for Arconic Davenport LLC. She was temporarily laid off from Arconic Davenport LLC due to COVID-19. The administrative records (WAGE-A) reflect the claimant's wage history below:

EMPLOYER	ACCT-LOC	2019/2	2019/3	2019/4	2020/1	2020/2
ALUMINUM CO OF AMERICA	004994-000	19880	21009	19085		
ARCONIC DAVENPORT LLC	627218-000				19976	10655

The appeal was based upon the representative's decision finding Aluminum Co. of America to be claimant's last employer. The correct employer is Arconic Davenport LLC. (627218). The claimant's temporary separation from that employer has not yet been determined by the IWD Benefits Bureau.

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.

The incorrect employer, Aluminum Co. of America, was listed as the claimant's last employer. The correct employer is Arconic Davenport LLC (627218). (The claimant has requalified since her separation from Aluminum Co. of America.) The issue of whether the claimant is eligible for benefits effective April 19, 2020 due to her temporary separation with Arconic Davenport LLC, is remanded to the Benefits Bureau for an initial investigation.

DECISION:

The June 30, 2020 (reference 01) representative's decision is reversed without prejudice to either party. The incorrect last employer was listed for this decision. The correct employer is Arconic Davenport LLC.

REMAND: The issue of whether the claimant is eligible for benefits effective April 19, 2020 due to his temporary separation with Arconic Davenport LLC. is remanded to the Benefits Bureau for an initial investigation.



Jennifer L. Beckman
Administrative Law Judge
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August 28, 2020
Decision Dated and Mailed

jlb/scn