BEFORE THE EMPLOYMENT APPEAL BOARD

Lucas State Office Building Fourth floor Des Moines, Iowa 50319

:

JEFFREY L KUGEL

HEARING NUMBER: 12B-UI-14883

Claimant,

.

and

EMPLOYMENT APPEAL BOARD

DECISION

AGRI STAR MEAT & POULTRY LLC

Employer.

NOTICE

THIS DECISION BECOMES FINAL unless (1) a request for a REHEARING is filed with the Employment Appeal Board within 20 days of the date of the Board's decision or, (2) a PETITION TO DISTRICT COURT IS FILED WITHIN 30 days of the date of the Board's decision.

A REHEARING REQUEST shall state the specific grounds and relief sought. If the rehearing request is denied, a petition may be filed in **DISTRICT COURT** within **30 days** of the date of the denial.

SECTION: 96.5-1, 24.26-1

DECISION

UNEMPLOYMENT BENEFITS ARE ALLOWED IF OTHERWISE ELIGIBLE

The Employer appealed this case to the Employment Appeal Board. Two members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds the administrative law judge's decision is correct. The administrative law judge's Findings of Fact and Reasoning and Conclusions of Law are adopted by the Board as its own. The administrative law judge's decision is **AFFIRMED**.

The Employment Appeal Board would note that an allegation of an unfair hearing was raised. However, a review of the record does not substantiate the Employer's allegation. The Employment Appeal Board finds the administrative law judge properly conducted the hearing using the appropriate decorum in taking evidence from both parties regarding the issues. The fact that the administrative law judge limited the Employer's submission of evidence into the record only as that evidence was relevant to the issues is not indicative of an unfair hearing. Thus, the Board concludes the Employer received a fair opportunity to present her case.

The Employer has requested this matter be remanded for finds the applicant did not provide good cause to remand DENIED.	
	John A. Peno
	Monique F. Kuester

AMG/fnv