BEFORE THE EMPLOYMENT APPEAL BOARD Lucas State Office Building Fourth floor

Des Moines, Iowa 50319

:

VALERIE A BERRY

HEARING NUMBER: 09B-UI-09640

Claimant,

and : **EMPLOYMENT APPEAL BOARD**

DECISION

WESLEY RETIREMENT SERVICES:

INC

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: 96.5-2-a

DECISION

UNEMPLOYMENT BENEFITS ARE ALLOWED IF OTHERWISE ELIGIBLE

The employer appealed this case to the Employment Appeal Board. The 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.

A portion of the employer's appeal to the Employment Appeal Board consisted of additional evidence which was not contained in the administrative file and which was not submitted to the

| administrative law judge. | While the ap | oeal and add | itional e | evidence | (documents) | were | reviewed, |
|---------------------------|----------------|---------------|-----------|----------|--------------|--------|------------|
| the Employment Appeal | Board, in its | discretion, | finds t | that the | admission of | of the | additional |
| evidence is not warranted | in reaching to | day's decisio | on. | | | | |

| John A. Peno | |
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| Elizabeth L. Seiser | |
| Monique F. Kuester | |

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