

**BEFORE THE  
EMPLOYMENT APPEAL BOARD  
Lucas State Office Building  
Fourth floor  
Des Moines, Iowa 50319**

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**RUBIE M GUTIERREZ**

Claimant

and

**MEDALLION FOOD & BEVERAGE LLC**

Employer

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**HEARING NUMBER: 19BUI-07414**

**EMPLOYMENT APPEAL BOARD  
DECISION**

**SECTION:** 17A.12-3, 26.14-7

**D E C I S I O N**

**FINDINGS OF FACT:**

The administrative law judge issued a decision August 1, 2018. The decision was favorable to the Claimant. On March 15, 2019, the Claimant appealed the decision of the administrative law judge to the Employment Appeal Board.

**REASONING AND CONCLUSIONS OF LAW:**

Pursuant to 486 IAC 3.1(2), "[a]ny person aggrieved by a job service decision of an administrative law judge may appeal to the employment appeal board . . . ." The Employment Appeal Board interprets an aggrieved person to be one who receives an unfavorable decision from the administrative law judge. Here the decision of the administrative law judge is favorable to the Claimant. For this reason the Claimant's appeal must be and is dismissed.

**DECISION:**

The Claimant's appeal is **DISMISSED**. The decision of the administrative law judge remains in full force and effect.

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Kim D. Schmett

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Ashley R. Koopmans

AMG/fnv

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James M. Strohman