

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

MUBARAK STIEIA

Claimant,

and

SWIFT & COMPANY

Employer.

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HEARING NUMBER: 09B-UI-10208

EMPLOYMENT APPEAL BOARD
DECISION

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)

DECISION

UNEMPLOYMENT BENEFITS ARE ALLOWED IF OTHERWISE ELIGIBLE

The claimant 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**.

The Employment Appeal Board recognizes that the receipt of two seemingly opposing decisions (08A-UI-10208 – allowing benefits & 08A-UI-10863 – denying benefits) may seem confusing. For clarification, however, the Board would comment that with the first decision (08A-UI-

10208,

the claimant requalified to receive benefits even though his June 6, 2008 separation was deemed disqualifying. As to the second decision, the claimant's separation relating to his most recent employment (ending October 3, 2008) was considered a disqualifying discharge and therefore, benefits were denied.

John A. Peno

Elizabeth L. Seiser

AMG/fnv