

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

CRAIG D SMITH

Claimant,

and

WINN CORP

Employer.

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HEARING NUMBER: 13B-UI-14839

**EMPLOYMENT APPEAL BOARD
DECISION AFTER GRANTED REHEARING**

NOTICE

THIS DECISION BECOMES FINAL unless a **PETITION TO DISTRICT COURT IS FILED WITHIN 30 days** of the date of the Board's decision.

SECTION: 96.5-1

DECISION

UNEMPLOYMENT BENEFITS ARE DENIED

STATEMENT OF THE CASE:

The Claimant filed an application for rehearing on the above-listed matter that was granted. A Decision and Order was sent to both parties indicating that the Claimant did not receive the transcript in time to timely file his written argument. The Decision and Order stated that the Board would allow the Claimant time to submit the written argument for the Board's review so that the Board could re-issue a decision in consideration of the same. The Board is now ready to issue its decision.

The Claimant appealed this case to the Employment Appeal Board. The 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 Claimant submitted a written argument to the Employment Appeal Board. The Employment Appeal Board reviewed the argument, which consisted of a hand-written transcript of the hearing.

14839

The argument was completely corroborative of evidence already presented before the administrative law judge. The Employment Appeal Board finds it is insufficient to cause a reversal of the Board's previous decision.

John A. Peno

Monique F. Kuester

AMG/fnv