

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

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ANGELICA RIVERA

Claimant,

and

SEATON CORPORATION/STAFF  
MANAGEMENT

Employer.

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HEARING NUMBER: 09B-UI-13573

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 DENIED**

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**.

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John A. Peno

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Elizabeth L. Seiser

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Monique Kuester

**SPECIAL CONCURRENCE:** We write separately only to address the Claimant's argument about mistranslation. The Claimant argues "the only time the ALJ asked her if she had quit, her immediate response, 'no,' was not heard by the Administrative Law Judge." Brief of Claimant p. 2. Of course, the mere fact that the interpreter did not translate "no" – which in Spanish is "no" – does not mean the Administrative Law Judge did not hear it. But even more to the point, the record is clear that the Claimant did argue she did not quit. For example, at line 29 of page 7 the Claimant clearly says "No, I didn't quit." Any supposed mistranslation on page 8 therefore caused no prejudice. We understand the Claimant to be testifying that she did not quit, but find otherwise.

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John A. Peno

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Elizabeth L. Seiser