BEFORE THE EMPLOYMENT APPEAL BOARD

Lucas State Office Building Fourth floor Des Moines, Iowa 50319

:

MOMATIKWA DOUTI

HEARING NUMBER: 17BUI-13770

Claimant

.

and

EMPLOYMENT APPEAL BOARD DECISION

. DEC

RAINING ROSE 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. 96.3-7

DECISION

UNEMPLOYMENT BENEFITS ARE DENIED

The Claimant appealed this case to the Employment Appeal Board. All members of the Employment Appeal Board reviewed the entire record. A majority of the Appeal Board, one member dissenting, finds the administrative law judge's decision is correct. With the following modification, 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** with the following **MODIFICATION**:

The Employment Appeal Board would modify the administrative law judge's Findings of Fact as follows:

The Claimant's four (4) other absences that were considered unexcused occurred on April 28th, July 6th, August 18th, and November 20, 2016.

Kim D. Schmett		

Ashley R. Koopmans

DISSENTING OPINION OF JAMES M. STROHMAN:

I respectfully dissent from the majority decithe administrative law judge's decision.	sion of the Employment Appeal Board; I would reverse
	James M. Strohman
administrative file and which was not su additional evidence was reviewed for the evidence was warranted despite it not be Board, in its discretion, finds that the admireaching today's decision. There is no sur submitted by the Claimant was not present	ence to the Board which was not contained in the abmitted to the administrative law judge. While the purposes of determining whether admission of the being presented at hearing, the Employment Appeal mission of the additional evidence is not warranted in efficient cause why the new and additional information at the at hearing. Accordingly all the new and additional dupon in making our decision, and has received no noticely disregarded.
	Kim D. Schmett
	Ashley R. Koopmans
AMG/fnv	James M. Strohman