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

CONNIE D GARRETT	:	
	:	
Claimant,	:	**HEARING NUMBER:** 12B-UI-10939
	:	
and	:	
	:	**EMPLOYMENT APPEAL BOARD**
FUTURE FOAM INC	:	**DECISION**
	:	
Employer.		

N O T I C E

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, 26.8-5

D E C I S I O N

UNEMPLOYMENT BENEFITS ARE DENIED

STATEMENT OF THE CASE:

The issue of timeliness was raised when the Claimant filed an appeal dated October 22, 2012 in an envelope bearing no postmark date that arrived in the office on October 26th. The due date for appeal was October 25, 2012. It is clear the appeal was mailed prior to the 26th, which would render the appeal timely.

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**.

_____
John A. Peno

_____
Monique F. Kuester

_____
Cloyd (Robby) Robinson

AMG/fnv