

**BEFORE THE
EMPLOYMENT APPEAL BOARD
Lucas State Office Building, 4TH Floor
Des Moines, Iowa 50319
Website: eab.iowa.gov**

PHING N DUN

Claimant

: **APPEAL NUMBER:** 23B-UI-06165
: **ALJ HEARING NUMBER:** 23A-UI-06165

and

:
: **EMPLOYMENT APPEAL BOARD
DECISION**

SDH EDUCATION WEST LLC

Employer

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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: 17A.12-3 26.14-7

DECISION

UNEMPLOYMENT BENEFITS ARE DENIED

Iowa Department of Inspections, Appeals, and Licensing (“DIAL”) Hearing Division mailed the administrative law judge’s (“ALJ”) decision on July 11, 2023. The Claimant had a subsequent hearing with another ALJ on July 28, and testified under oath that they had not received the prior ALJ’s decision. The second ALJ directed staff at in the DIAL Hearings Division to email the decision to the Claimant. On July 28, the decision was emailed to the Claimant who filed their appeal to the Employment Appeal Board on July 29. For these reasons, the appeal was timely filed and the Employment Appeal Board is ready to issue a decision.

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**.

James M. Strohman

Ashley R. Koopmans

Myron R. Linn

SRC/fnv