

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

MARCELLA A PATTON

Claimant

and

**ACCURA HEALTHCARE OF CARROLL
LLC**

Employer

HEARING NUMBER: 18BUI-09744

**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: 17A.12-3, 26.14-7

DECISION

UNEMPLOYMENT BENEFITS ARE ALLOWED IF OTHERWISE ELIGIBLE

FINDINGS OF FACT:

The administrative law judge issued a decision in this matter. The decision was favorable to the Claimant. The decision held the Employer in default and affirmed the claims decision that *allowed benefits*. The Claimant appealed the decision of the administrative law judge to the Employment Appeal Board.

REASONING AND CONCLUSIONS OF LAW:

Pursuant to 486 IAC 3.1(2), "[a]ny person aggrieved by a job service decision of an administrative law judge may appeal to the employment appeal board" The Employment Appeal Board interprets an aggrieved person to be one who receives an unfavorable decision from the administrative law judge. Here the decision of the administrative law judge is favorable to the claimant. For this reason the claimant's appeal must be and is dismissed.

DECISION:

The appeal of the Claimant is **DISMISSED**. The decision of the administrative law judge remains in full force and effect. Benefits are allowed as stated in the decision of the Administrative Law Judge, so long as the Claimant is otherwise eligible.

Kim D. Schmett

Ashley R. Koopmans

James M. Strohman

RRA/fnv