



AMG/fnv

**DISSENTING OPINION OF MONIQUE F. KUESTER:**

I respectfully dissent from the majority decision of the Employment Appeal Board; I would reverse the decision of the administrative law judge. The claimant altered his girlfriend's timecard on two occasions. If these policy violations were just a one-time occurrence or had these alterations occurred on two occasions *not* back to back, I could agree with the administrative law judge's determination. However, the close proximity of his actions given the policy demonstrates a pattern of behavior, which I find to be a blatant disregard of the employer's directive. As such, I would conclude that the employer has satisfied his burden of proving disqualifying misconduct and benefits should be denied.

---

Monique F. Kuester

AMG/fnv