



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. I agree that the employer should have provided firsthand witnesses and not relied on solely on hearsay and documentation. However, the employer's evidence, as provided, was sufficient to establish that the claimant was discharged for misconduct. Furthermore, the claimant received ample warning and should have known that her job was in jeopardy, i.e., that if she failed to change her behavior, she would be terminated. For this reason, I would deny benefits.

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Monique F. Kuester

AMG/fnv