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

JEFF T KNIGHT	HEARING NUMBER: 15B-UI-04611
Claimant	. HEARING NUMBER: 15D-01-04011
and	EMPLOYMENT APPEAL BOARD
EXPRESS SERVICES INC	DECISION
Employer	

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: 96.4-3, 96.3-7

DECISION

UNEMPLOYMENT BENEFITS ARE DENIED

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. With the following modification, 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** with the following **MODIFICATION**:

The Employment Appeal Board would modify the administrative law judge's Reasoning and Conclusions of Law as follows:

The Claimant is not able and available for work, and is therefore not eligible for benefits at this time. However, because the issue of being able and available for work is a week to week determination, once he has established that he is able to return to work, the Claimant should contact Iowa Workforce Development Center with supporting documentation. The Board would also strike a portion of the last sentence of the decision at p. 5 as follows:

Unemployment insurance benefit shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefits amount, provided claimant is otherwise eligible.

Kim D. Schmett

Ashley R. Koopmans

James M. Strohman