

DISSENTING OPINION OF JAMES M. STROHMAN:

I respectfully dissent from the majority decision of the Employment Appeal Board; I would reverse the administrative law judge's decision. I would find that the Employer wanted to end the Claimant's employment and used this final incident as the reason. The Employer failed to investigate why the Claimant had the credit card information on her desk in the first place, which could have been for a legitimate reason. Based on this record, I would conclude that the Employer failed to satisfy their burden of proving disqualifying misconduct.

James M. Strohman

AMG/fnv