

James M. Strohman

DISSENTING OPINION OF MYRON R. LINN:

I respectfully dissent from the majority decision of the Employment Appeal Board; I would reverse the administrative law judge's decision. I would find the Claimant had a history of poor attendance, i.e., excessive unexcused absences, which was sufficient grounds to terminate the Claimant. Based on this record, I would conclude the Employer satisfied their burden of proof. Benefits should be denied until such time he has worked in and has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible. See, Iowa Code section 96.5(2)"a".

Myron R. Linn

AMG/fnv