

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

SHEROME D LOVE

Claimant

and

L A LEASING INC

Employer

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HEARING NUMBER: 16B-UI-01557

**EMPLOYMENT APPEAL BOARD
DECISION**

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: 96.5-1-J, 96.3-7

DECISION

UNEMPLOYMENT BENEFITS ARE DENIED

The Employer appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board, one member affirming in part, and reversing in part, finds the administrative law judge's decision is correct. 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**.

Ashley R. Koopmans

James M. Strohman

CONCURRING OPINION OF KIM D. SCHMETT:

I agree with my fellow board members that the administrative law judge's decision should be affirmed, but only as to the separation issue. As for the overpayment issue, I would **REVERSE** the administrative law judge's decision regarding the Employer's chargeability.

Kim D. Schmett

Lastly, the Employment Appeal Board would correct the administrative law judge's Statement of the Case to reflect that the Claimant did ***not*** participate in the hearing.

Kim D. Schmett

Ashley R. Koopmans

James M. Strohman

AMG/fnv