

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 would find that the claimant was excessively tardy and absent. The excuses she provided the employer, in toto, stretched the bounds of credibility. For this reason, I would conclude that the employer satisfied their burden of proving disqualifying misconduct for which benefits should be denied.

Monique F. Kuester

AMG/fnv

The employer has requested this matter be remanded for a new hearing. The Employment Appeal Board finds the applicant did not provide good cause to remand this matter. Therefore, the remand request is **DENIED**.

John A. Peno

Elizabeth L. Seiser

Monique F. Kuester

AMG/fnv