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

ROXANNE M FRAZER	: :
Claimant,	: HEARING NUMBER: 08B-UI-08530 : :
and	: EMPLOYMENT APPEAL BOARD
SLB OF IOWA LC	: 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: 96.5(2)a

DECISION

UNEMPLOYMENT BENEFITS ARE ALLOWED IF OTHERWISE ELIGIBLE

The employer appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board, one member dissenting, reviewed the entire record. The Appeal Board 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.

John A. Peno	

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.

AMG/fnv	Monique F. Kuester
The employer has requested this matter be remanded Board finds the applicant did not provide good cause request is DENIED .	• • • • • • • • • • • • • • • • • • • •
	John A. Peno
	Elizabeth L. Seiser
AMG/fnv	Monique F. Kuester