

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

KATHERINE S EDSILL

Claimant

and

ABCM CORPORATION

Employer

:
:
:
:
:
:
:
:

HEARING NUMBER: 15B-UI-11754

**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: 96.4-3, 24.23-10

DECISION

UNEMPLOYMENT BENEFITS ARE DENIED

STATEMENT OF THE CASE:

The issue of timeliness was raised when the Claimant filed an appeal that was faxed on November 21, 2015, one day beyond the statutory deadline of November 20, 2015. The reason for the delay was because of inclement weather and the Claimant was unable to return to the store to re-fax her appeal until the following day, as the phone line was continuously busy the previous day. For this reason, we find good cause has been established for the late appeal, and the board shall consider it to be timely.

The Claimant appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board 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**.

The Employment Appeal Board would correct the administrative law judge's Reasoning and Conclusions of Law, page two, first paragraph to reflect that the Claimant is ***not*** eligible to receive unemployment insurance benefits.

Kim D. Schmett

Ashley R. Koopmans

James M. Strohman

AMG/fnv