

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

BRENDA K RICH

Claimant,

and

STREAM INTERNATIONAL INC

Employer.

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HEARING NUMBER: 10B-UI-07949

**EMPLOYMENT APPEAL BOARD
DECISION AFTER GRANTED REHEARING**

N O T I C E

THIS DECISION BECOMES FINAL unless a **PETITION TO DISTRICT COURT IS FILED WITHIN 30 days** of the date of the Board's decision.

SECTION: 96.5(1), 96.3(7)

D E C I S I O N

UNEMPLOYMENT BENEFITS ARE DENIED

STATEMENT OF THE CASE:

The claimant filed an application for rehearing on the above-listed matter that was granted. A Decision and Order was sent to both parties indicating that the claimant had timely filed her written argument, however, said argument did not arrive in the Board's office until after a decision had been rendered. The Decision and Order stated that the Board would review the claimant's written argument and re-issue a decision in consideration of the same. The Board is now ready to issue its decision.

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 claimant submitted a written argument to the Employment Appeal Board. The Employment Appeal Board reviewed the argument. The argument was substantially corroborative of evidence already presented before the administrative law judge. While the argument was considered, the Employment Appeal Board finds it is insufficient to cause a reversal of the Board's previous decision. In addition, the claimant made reference to the employer's documents she never received, but that the administrative law judge indicated she would send those documents to the claimant after the hearing. (Tr. 2) We note that the administrative law judge read the contents of those documents into the record, however, she did not

accept those documents as exhibits, nor did she make reference to them in her decision. For this reason, we find that these documents had no bearing on the administrative law judge's decision, nor do they have any relevance for the outcome of our decision.

John A. Peno

Monique F. Kuester

Elizabeth L. Seiser

AMG/fnv