

**BEFORE THE
EMPLOYMENT APPEAL BOARD
6200 Park Avenue, Suite 100
Des Moines, Iowa 50321
Website: eab.iowa.gov**

DYLAN M BUCHHOLTZ	:	APPEAL NUMBER:	24B-UI-00847
Claimant	:	ALJ HEARING NUMBER:	24A-UI-00847
	:		
and	:	EMPLOYMENT APPEAL BOARD	
	:	DECISION	
	:		
BRUENING ROCK PRODUCTS INC	:		
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.

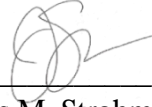
SECTION: 96.23

DECISION

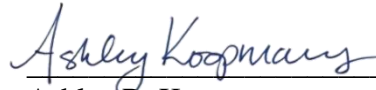
The Claimant appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds the administrative law judge's decision is correct. The administrative law judge's Findings of Fact and Reasoning and Conclusions of Law are adopted by the Board as its own. The administrative law judge's decision is **AFFIRMED**.

We note that the Claimant is currently eligible on his 01/07/24 claim year using the alternate base period. He is unlocked and being paid benefits. His benefit amount is the maximum allowable by law, and his total available benefits is also the maximum. He thus has nothing to gain from substituting quarters, and in any event, substitution is not allowed when a Claimant is eligible for benefits without substitution. *Stanley v. Employment Appeal Board*, No. 16-2047 (Iowa App. 1/10/2018).

Finally, the effect of our decision is to deny substitution only. It *will not* result in a change in the Claimant's ability to draw benefits on his 01/07/2024 claim.



James M. Strohman



Ashley R. Koopmans



Myron R. Linn

RRA/fnv

DATED AND MAILED: FEBRUARY 29 2024