

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

CHIANNE L MULLINS	:	
	:	
Claimant,	:	HEARING NUMBER: 13B-UI-01022
	:	
and	:	
	:	EMPLOYMENT APPEAL BOARD
	:	DECISION
REMEDY INTELLIGENT STAFFING 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: 96.5-2-A

DECISION

UNEMPLOYMENT BENEFITS ARE DENIED

The Claimant 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**.

Monique F. Kuester

Cloyd (Robby) Robinson

DISSENTING OPINION OF JOHN A. PENO:

I respectfully dissent from the decision of the Employment Appeal Board; I would reverse the decision of the administrative law judge in its entirety. The claimant was terminated from Wells Fargo for insubordination. The claimant contacted the temp agency within three days as required and requested reassignment. Ms. Vogel, a recruiter from the temp agency, testified that the claimant would have been placed on another assignment if they had an opening. This record clearly established that there has been no separation from the temp agency, as the claimant remains an active employee. For this reason, I would allow benefits provided the claimant is otherwise eligible.

John A. Peno

AMG/fnv