

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

RAJESHREE SLJIVO

Claimant

and

IOWA WORKFORCE DEVELOPMENT

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HEARING NUMBER: 21B-UI-03306

**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: 96.5-2 96.5-1

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 reviewed the entire record. The Appeal Board, one member dissenting, 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**.

James M. Strohman

Ashley R. Koopmans

DISSENTING OPINION OF MYRON R. LINN:

After a thorough review of this claim, I respectfully disagree with the majority decision. The Iowa Department of Workforce Development (IWD) reviews, processes, and adjudicates unemployment compensation claims for Iowans. IWD relies upon and is expected to protect its integrity, credibility, and fairness in its decisions, and therefore clearly-stated reasonable practices and policies are in place to avoid any possibility of improper staff involvement on unemployment compensation claims. The Claimant received a copy of the work rules which included this statement in part: “No employee shall participate in taking, adjudicating, processing, accessing, or be involved in the claim of a relative, friend, co-worker, or personal associate.” The Claimant in this matter made several inquiries regarding an unemployment compensation benefits claim for a person known by the claimant. The Claimant admits in her written statement that she made “a good faith error in judgement”. She knew that the policies and practices prohibited such inquiries. This violation is not a minor breach of acceptable behavior. In my opinion, it is disqualifying misconduct. Therefore, I would reverse the decision made by the Administrative Law Judge in this matter.

Myron R. Linn

AMG/fnv