

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

CANDACE E LAMPE

Claimant,

and

TEMPRO SERVICES INC

Employer.

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HEARING NUMBER: 09B-UI-14760

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

DECISION

FINDINGS OF FACT:

The administrative law judge issued a decision in this matter October 29, 2009. The decision was favorable to the employer. On November 4, 2009, the claimant appealed the decision of the administrative law judge to the Employment Appeal Board. In the meantime, the administrative law judge issued a Nunc Pro Tunc Decision, which corrected the previous decision by finding the claimant eligible for unemployment benefits. The claimant is no longer an aggrieved party.

REASONING AND CONCLUSIONS OF LAW:

Pursuant to 486 IAC 3.1(2), "[a]ny person aggrieved by a job service decision of an administrative law judge may appeal to the employment appeal board" The Employment Appeal Board interprets an aggrieved person to be one who receives an unfavorable decision from the administrative law judge. Here the decision of the administrative law judge is favorable to the claimant. For this reason the claimant's appeal must be and is dismissed.

DECISION:

The appeal of the claimant is **DISMISSED**. The decision of the administrative law judge remains in full force and effect.

John A. Peno

Elizabeth L. Seiser

Monique F. Kuester

AMG/fnv