

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

---

**SHAWN D BLANCHARD**

Claimant,

and

**ASPLUNDH TREE EXPERT CO**

Employer.

:  
:  
:  
:  
:  
:  
:  
:  
:

**HEARING NUMBER: 14B-UI-09527**

**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: 17A.12-3, 26.14-7**

**DECISION**

**FINDINGS OF FACT:**

The administrative law judge issued a decision in this matter October 6, 2014. The decision was favorable to the Claimant. On October 20, 2014, the Claimant appealed the decision of the administrative law judge to the Employment Appeal Board.

**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. The Employment Appeal Board would also direct the Claimant to contact the Iowa Workforce Development Center, Claims Section, to inquire about the possibility of backdating his claim.

---

Kim D. Schmett

---

Ashley R. Koopmans

AMG/fnv