



**DISSENTING OPINION OF KIM D. SCHMETT:**

I respectfully dissent from the majority decision of the Employment Appeal Board; I would reverse the administrative law judge's decision. I would find the Employer provided credible, corroborating evidence, i.e., three co-workers' written statements, that the Claimant did tell his co-workers to slow down the work pace on the assembly line. For this reason, I would conclude that the Employer satisfied their burden of proving disqualifying misconduct. Benefits should be denied until such time the Claimant has worked in and has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible. See, Iowa Code section 96.5(2)"a".

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Kim D. Schmett

AMG/fnv