**BEFORE THE**
**EMPLOYMENT APPEAL BOARD**
**Lucas State Office Building, 4TH Floor**
**Des Moines, Iowa 50319**
**eab.iowa.gov**

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**JONATHAN M DEMMIN**

Claimant

and

**IWD INVESTIGATION & RECOVERY**

**APPEAL NUMBER:** 22B-UI-14690
**ALJ HEARING NUMBER:** 22A-UI-14690

**EMPLOYMENT APPEAL BOARD DECISION**

## N O T I C E

**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:** 96.3-7, 96.16-4

## D E C I S I O N

The Agency appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board 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**.

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James M. Strohman

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Ashley R. Koopmans

**CONCURRING OPINION OF MYRON R. LINN:**

I agree with my fellow board members that the administrative law judge's decision should be affirmed; however, I would reinstate the 15% penalty based on what I consider to be the Claimant's fraudulent misrepresentation.

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Myron R. Linn

AMG/fnv