## BEFORE THE EMPLOYMENT APPEAL BOARD

Lucas State Office Building Fourth floor Des Moines, Iowa 50319

:

**KEVIN WHITE** 

**HEARING NUMBER: 16B-UI-11506** 

Claimant

•

and

EMPLOYMENT APPEAL BOARD DECISION

**CNH AMERICA LLC** 

:

Employer

## 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-A

## DECISION

## UNEMPLOYMENT BENEFITS ARE DENIED

The Claimant 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**.

The Employment Appeal Board would comment that even though the Claimant had several absences due to illness that would be considered excused, we still find that the Claimant had excessive unexcused absences based on this record.

Lastly, the Claimant submitted additional evidence to the Board which was not contained in the administrative file and which was not submitted to the administrative law judge. While the additional evidence was reviewed for the purposes of determining whether admission of the evidence was warranted despite it not being presented at hearing, the Employment Appeal Board, in its discretion, finds that the admission of the additional evidence is not warranted in reaching today's decision. There is no sufficient cause why the new and additional information submitted by the Claimant was not presented at hearing.

Accordingly a	ll the	new	and	addition al	information	submitted	has	not	been	relied	upon	in	making	our
decision, and has received no weight whatsoever, but rather has been wholly disregarded.														

Kim D. Schmett

Ashley R. Koopmans

James M. Strohman

AMG/ss