BEFORE THE EMPLOYMENT APPEAL BOARD

Lucas State Office Building Fourth floor Des Moines, Iowa 50319

:

BRENDA A ELLIS

HEARING NUMBER: 15B-UI-06362

Claimant

.

and

EMPLOYMENT APPEAL BOARD DECISION

PLATINUM HOSPITALITY GROUP 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: 96.4-3, 24.22-2F

DECISION

UNEMPLOYMENT BENEFITS ARE DENIED

The Claimant appealed this case to the Employment Appeal Board. Two members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds the administrative law judge's decision is correct. With the following modification, 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** with the following **MODIFICATION**:

The Employment Appeal Board would modify the administrative law judge's Reasoning and Conclusions of Law by adding the following:

The Claimant may be eligible for benefits based on the wage credits she has earned from other employers in her base period. However, we would note that this Employer cannot be charged for any benefits paid, nor can the Claimant draw from any wage credits earned from this Employer.

Lastly, a portion of the Claimant's appeal and written argument to the Employment Appeal Board consisted of additional evidence which was not contained in the administrative file and which was not submitted to

the administrative law judge. While the appeal and written argument that contained the additional evidence were reviewed, the Employment Appeal Board, in its discretion, finds that the admission of the additional evidence is not warranted in reaching today's decision.	
_	
K	Kim D. Schmett
$\overline{ m J}$	ames M. Strohman

AMG/fnv