

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

JOSHUA J WERNIMONT	:	
	:	HEARING NUMBER: 21B-UI-14126
Claimant	:	
	:	
and	:	EMPLOYMENT APPEAL BOARD
	:	DECISION
LBC FRAMING & ELECTRICAL 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

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. 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, and REMAND as follows:**

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

The Board would find the administrative law judge's decision regarding the Claimant's Roc Taproom employment, and that Employer's relief of charges is *incorrect*. Instead, we would relieve this Employer's (FBC) account of charges and remand the issue of whether the Claimant is still employed at the same hour and wages with Roc Taproom to the Iowa Workforce Development, Benefits Bureau, for further consideration.

AMG/sh