BEFORE THE EMPLOYMENT APPEAL BOARD

Lucas State Office Building, 4TH Floor Des Moines, Iowa 50319 eab.iowa.gov

EDDIE N CORDERO RUIZ :

HEARING NUMBER: 22B-UI-24415

Claimant :

:

and : **EMPLOYMENT APPEAL BOARD**

DECISION

SIG INTERNATIONAL IOWA INC

:

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: 96.5-1, 96.6-2

DECISION

UNEMPLOYMENT BENEFITS ARE ALLOWED IF OTHERWISE ELIGIBLE

The Employer appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board, one member dissenting, 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 Employer has requested this matter be remanded for a new hearing. The Employment Appeal Board finds the applicant did not follow the instructions on the notice of hearing. Therefore, good cause has not been established to remand this matter. The remand request is **DENIED**.

est is DENIED.		
Lucia M. Challana		
James M. Strohman		
Ashley R. Koopmans		

DISSENTING OPINION OF MYRON R. LINN:

I respectfully dissent from the majority decision of the Employment Appeal Board; I would reverse the administrative law judge's decision. I do not find the Claimant's testimony credible. I believe the Claimant quit for the sole reason to be home with his family and newborn child during this time. By his own testimony, the Employer implemented safety measures in the workplace. His fear of contracting COVID was not reasonable in light of these changes. For this reason, I would conclude his quit was without good cause attributable to the Employer. Benefits should be denied until such time he has worked in and was paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible. See, Iowa Code section 96.5(1)"g".

Myron R. Linn

AMG/fnv