

**BEFORE THE  
EMPLOYMENT APPEAL BOARD  
Lucas State Office Building, 4<sup>TH</sup> Floor  
Des Moines, Iowa 50319  
Website: eab.iowa.gov**

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**NATALIE OHRTMAN**

Claimant

: **APPEAL NUMBER:** 23B-UI-07778  
: **ALJ HEARING NUMBER:** 23A-UI-07778

and

:  
: **EMPLOYMENT APPEAL BOARD**  
: **DECISION**

**ELEVATE PROPERTY MANAGEMENT  
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 96.3-7


**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 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**.

We note, solely for the edification of the parties, that “[a] finding of fact or law, judgment, conclusion, or final order made pursuant to this section by an employee or representative of the department, administrative law judge, or the employment appeal board, is binding only upon the parties to proceedings brought under this chapter, and **is not binding** upon any other proceedings or action involving the same facts brought by the same or related parties before the division of labor services, **division of workers’ compensation**, other state agency, arbitrator, court, or judge of this state or the United States.” Iowa Code §96.6(4) (emphasis added). This provision makes clear that unemployment findings and conclusions are only binding on unemployment issues, and have **no effect** otherwise. See also Iowa Code §96.11(6)(b)(3)(“Information obtained from an employing unit or individual in the course of administering this chapter and an initial determination made by

a representative of the department under section 96.6, subsection 2, as to benefit rights of an individual shall not be used in any action or proceeding, except in a contested case proceeding or judicial review under chapter 17A...)



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James M. Strohman



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Ashley R. Koopmans



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Myron R. Linn

RRA/fnv

**DATED AND MAILED: OCT 05 2023**