# BEFORE THE EMPLOYMENT APPEAL BOARD

Lucas State Office Building Fourth floor Des Moines, Iowa 50319

:

**HAROLD B MOSS** 

**HEARING NUMBER: 12B-UI-03172** 

Claimant,

:

and

EMPLOYMENT APPEAL BOARD

: DECISION AFTER GRANTED REHEARING

VAN WYK INC

Employer.

## NOTICE

THIS DECISION BECOMES FINAL unless a PETITION TO DISTRICT COURT IS FILED WITHIN 30 days of the date of the Board's decision.

**SECTION:** 96.5-1-D, 24.25-35

## DECISION

#### UNEMPLOYMENT BENEFITS ARE DENIED

#### STATEMENT OF THE CASE:

The Claimant filed an application for rehearing on the above-listed matter that was granted. A Decision and Order was sent to both parties indicating that the Claimant did not receive the transcript in time to timely file his written argument. The Decision and Order stated that the Board would allow the Claimant time to submit the written argument for the Board's review so that the Board could reissue a decision in consideration of the same. The Board is now ready to issue its decision.

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 Claimant submitted a written argument to the Employment Appeal Board. The Employment Appeal
Board reviewed the argument. The argument was substantially corroborative of evidence already presented
before the administrative law judge. While the argument was considered, the Employment Appeal Board
finds it is insufficient to cause a reversal of the Board's previous decision.

Monique F. Kuester	
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AMG/fnv