

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

AMY L LAWR

Claimant,

and

THE BOYLE COMPANY INC

Employer.

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HEARING NUMBER: 09B-UI-03648

EMPLOYMENT APPEAL BOARD
DECISION

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: 96.5-2-a

DECISION

UNEMPLOYMENT BENEFITS ARE ALLOWED IF OTHERWISE ELIGIBLE

STATEMENT OF THE CASE:

The issue of timeliness was raised when the employer filed an appeal by fax dated May 14, 2009, 14 days beyond the statutory deadline of April 31, 2009. The reason for the delay was because the employer did not received the Notice of Decision in a timely manner. For this reason, we find good cause has been established for the late appeal, and the board shall consider it to be timely.

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**.

John A. Peno

Elizabeth L. Seiser

Monique F. Kuester

AMG/ss