

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

CODY K CLIPPERTON

Claimant

and

OKOBOJI BARZ INC

Employer

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HEARING NUMBER: 16B-UI-08488

**EMPLOYMENT APPEAL BOARD
DECISION**

N O T I C E

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,24.1-113A

D E C I S I O N

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**.

The Employment Appeal Board would comment that the Claimant has already been disqualified for benefits on July 27, 2016 based on his separation from Parks Marina, Inc., which he did not appeal, nor did he collect any benefits. This Parks Marina disqualification remains in effect 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". Once he has requalified, he shall be eligible for benefits although benefits collected based on Parks Marina wages will be charged to the

fund. Since we do not impose a disqualification based on the separation with Okoboji Barz then **if** the Claimant requalifies from the Parks Marina disqualification then Okoboji Barz would face a total potential charge of about \$32.15

Kim D. Schmett

Ashley R. Koopmans

James M. Strohman

AMG/fnv