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

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| **SAMUEL MARTINEZ** | : | |
| Claimant | : | **HEARING NUMBER:** 15B-UI-12089 |
| and | : | |
| | : | **EMPLOYMENT APPEAL BOARD** |
| **BROCK SERVICES LLC** | : | **DECISION** |
| Employer | : | |

**SECTION:** 96.5-2-A

**D E C I S I O N**

**FINDINGS OF FACT:**

The administrative law judge issued a decision in this matter and the decision was favorable to the Claimant. The Claimant appealed the decision of the administrative law judge to the Employment Appeal Board. Through today the Claimant's claim has been unlocked and benefits have been paid to him every week he claimed except for when he reported wages in excess of his benefits amount plus $15.

**REASONING AND CONCLUSIONS OF LAW:**

Pursuant to 486 IAC 3.1(2), "[a]ny person aggrieved by a job service decision of an administrative law judge may appeal to the employment appeal board . . . ." The Employment Appeal Board interprets an aggrieved person to be one who receives an unfavorable decision from the administrative law judge. Here the decision of the administrative law judge is favorable to the claimant. For this reason the claimant's appeal must be and is dismissed.

**DECISION:**

The appeal of the Claimant is **DISMISSED**. The decision of the administrative law judge **allowing benefits** remains in full force and effect.

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Kim D. Schmett

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Ashley R. Koopmans

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James M. Strohman

RRA/fnv