

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

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MAXINE A OBERG

Claimant,

and

QWEST CORPORATION

Employer.

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HEARING NUMBER: 09B-UI-11923

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: 96.5-5**

**DECISION**

The employer appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board, one member concurring, 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 pension pay was improperly deducted for the period in question.

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John A. Peno

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Elizabeth L. Seiser

AMG/fnv

**CONCURRING OPINION OF MONIQUE F. KUESTER:**

I agree with my fellow board members that the administrative law judge's decision should be affirmed; however, I would not join in the majority's comment.

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Monique F. Kuester

AMG/fnv