

**BEFORE THE  
EMPLOYMENT APPEAL BOARD  
Lucas State Office Building, 4<sup>TH</sup> Floor  
Des Moines, Iowa 50319  
eab.iowa.gov**

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**JUDITH A WINKELMAN**

Claimant

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**HEARING NUMBER: 22B-UI-15937**

**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: 116-136**

**DECISION**

**STATEMENT OF THE CASE:**

The issue of timeliness was raised when the Claimant filed an appeal postmarked November 9, 2021, more than a month beyond the statutory deadline of September 28, 2021. A return receipt dated September 21, 2021 was later found. Based on this circumstance, we find good cause has been established for the late appeal, and the board shall consider it to be timely.

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 Board would comment that although the Claimant appears to have been approved PUA, it is up to the Benefits Bureau to adjust the Claimant's overpayments, which has already been remanded.

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James M. Strohman

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Ashley R. Koopmans

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Myron R. Linn

AMG/fnv