



**DISSENTING OPINION OF KIM D. SCHMETT:**

I respectfully dissent from the majority decision of the Employment Appeal Board; I would reverse the administrative law judge's decision. Regardless of the outcome of this matter, I would find should the Employer make the Claimant a definite offer of employment, and the Claimant refuses that offer, the Claimant shall be disqualified for benefits.

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Kim D. Schmett

AMG/fnv