BEFORE THE EMPLOYMENT APPEAL BOARD

Lucas State Office Building Fourth floor Des Moines, Iowa 50319

ALICIA N CHAVEZ

: **HEARING NUMBER:** 18BUI-12550 Claimant :

and : EMPLOYMENT APPEAL BOARD

WALMART STORES INC : DECISION

Employer

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: 96.5-2-A

DECISION

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 note the Employer, admittedly, received the Notice of Hearing (December 22, 2017) four days prior to the date of the hearing (December 26, 2017). We would expect the Employer would have immediately attempted to contact the agency to request a postponement, or at the very least appeared at the hearing to explain the circumstances for which they were unable to fully present their case. Based on Workforce records, no such call was ever made.

Board finds the applicant did not follow the instructions on the notice of hearing. Therefore, good	
cause has not been established to remand this matter. The remand request is DENIED .	
	Kim D. Schmett
	Ashley R. Koopmans
	Ashley K. Roophans

James M. Strohman

AMG/fnv

The Employer has requested this matter be remanded for a new hearing. The Employment Appeal