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

	:
JASON O GRIFFEY	:
	: HEARING NUMBER: 09B-UI-09804
Claimant,	:
and	: EMPLOYMENT APPEAL BOARD
and	: DECISION
TEAM STAFFING SOLUTIONS INC	
	•

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. All members of the Employment Appeal Board reviewed the entire record. A majority of the Appeal Board, one member dissenting, finds the administrative law judge's decision is correct. With the following modification, 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** with the following **MODIFICATION**:

If the employer indicated that the claimant was terminated from the temporary agency as well as the assignment for the same reason, the Board would have found the termination justified.

Elizabeth L. Seiser

Monique F. Kuester

AMG/ss

CONCURRING OPINION OF JOHN A. PENO:

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

John A. Peno

AMG/ss