

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

DUSTIN N HINTZ

Claimant,

and

DES STAFFING SERVICES INC

Employer.

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HEARING NUMBER: 08B-UI-01039

EMPLOYMENT APPEAL BOARD
DECISION AFTER GRANTED REHEARING

N O T I C E

THIS DECISION BECOMES FINAL unless a PETITION TO DISTRICT COURT IS FILED WITHIN 30 days of the date of the Board's decision.

SECTION: 96.5(3)a

D E C I S I O N

STATEMENT OF THE CASE:

The claimant filed an application for rehearing on the above-listed matter that was granted. A Decision and Order was sent to both parties indicating that the claimant's appeal was untimely because the claimant had not received the Notice of Decision in a timely manner. The Board found that the claimant established good cause for the untimeliness, and reviewed the case on its merits. Neither party submitted written arguments on the matter. The Board is now ready to issue its decision.

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**.

John A. Peno

Elizabeth L. Seiser
