

**BEFORE THE  
EMPLOYMENT APPEAL BOARD  
6200 Park Avenue, Suite 100  
Des Moines, Iowa 50321  
Website: eab.iowa.gov**

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**NICHOLAS T SCHNERRE**

Claimant

and

**WALMART INC**

Employer

: **APPEAL NUMBER:** 24B-UI-09546

: **ALJ HEARING NUMBER:** 23A-UI-09546

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: **EMPLOYMENT APPEAL BOARD  
DECISION**

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**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:** 96.4-3

**DECISION**

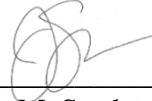
The Claimant appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds the administrative law judge's decision is correct. With the following modification, the administrative law judge's Findings of Fact and Reasoning and Conclusions of Law are adopted by the Board as its own. The administrative law judge's decision is **AFFIRMED** with the following **MODIFICATION**:

The Employment Appeal Board would modify the administrative law judge's Reasoning and Conclusions of Law strike the last paragraph and add the following:

~~In this case, Mr. Schnerre did not work for the employer as on-call worker. He was a full-time worker until his job ended on September 14, 2023. Mr. Schnerre is not available for work as of September 10, 2023 because he was working full-time. Since Mr. Schnerre is not available for work as of September 10, 2023, he is not eligible for UI benefits as of this date.~~

The Claimant was employed full-time on September 10, 2023, his original claim date. However, he was separated on September 14. The Claimant is not eligible for benefits during the week ending September 16, because he was employed the majority of the week. Benefits are denied for the week ending September 16, 2023.

Based on the information in the record, the Claimant is able to and available for work effective September 17, 2023. He is eligible for benefits as of that date, if he meets all other eligibility requirements and has qualifying separations from employment.



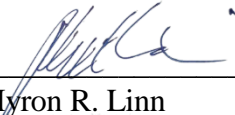
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James M. Strohman



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Ashley R. Koopmans



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Myron R. Linn

SRC/fnv

**DATED AND MAILED: JAN 11 2024**