BEFORE THE EMPLOYMENT APPEAL BOARD

Lucas State Office Building Fourth floor Des Moines, Iowa 50319

:

WENDY A MARSH

HEARING NUMBER: 15B-UI-07543

Claimant

•

and

EMPLOYMENT APPEAL BOARD DECISION

KIRKWOOD COMMUNITY COLLEGE-AREA 1

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: 96.5-2A, 96.3-7

DECISION

UNEMPLOYMENT BENEFITS ARE DENIED

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, page two, second to the last paragraph as follows:

"...The Claimant refused to sign the plan. despite being told it did not mean she agreed with the allegation sonly that she agreed to work under it going forward..."

The Claimant submitted a written argument to the Employment Appeal Board. The Employment Appeal Board reviewed the argument. A portion of the argument consisted of additional evidence which was not

contained in the administrative file and which was not submitted to the administrative law judge. While the	he
argument and additional evidence were considered, the Employment Appeal Board, in its discretion, fin	ids
that the admission of the additional evidence is not warranted in reaching today's decision.	

Kim D. Schmett		
Ashley R. Koopmans		
James M. Strohman		

AMG/fnv