

**BEFORE THE
EMPLOYMENT APPEAL BOARD
6200 Park Avenue, Suite 100
Des Moines, Iowa 50321-1270
eab.iowa.gov**

NATHAN T MACKEY

Claimant	:	APPEAL NUMBER: 24B-UI-03628
	:	ALJ HEARING NUMBER: 24A-UI-03628
	:	
and	:	EMPLOYMENT APPEAL BOARD
	:	DECISION
CROP PRODUCTION SERVICES 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

DECISION

UNEMPLOYMENT BENEFITS ARE ALLOWED IF OTHERWISE ELIGIBLE

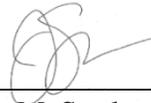
The Employer appealed this case to the Employment Appeal Board. The parties were notified that timeliness of the appeal was at issue. The members of the Employment Appeal Board reviewed the entire record.

STATEMENT OF THE CASE:

The issue of timeliness was raised when the Employer filed its appeal on May 8, 2024. The appeal was in fact timely as the date the Administrative Law Judge issued the decision was misstated on the decision. The date of issuance was April 23, 2024, and not February 23, 2024. Since the appeal was filed on the 15th day following April 23 the appeal was in fact timely.

The Employer appealed this case to the Employment Appeal Board. All members of the Employment Appeal Board reviewed the entire record. The members of the Employment Appeal Board find 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 Employer has requested this matter be remanded for a new hearing. The Employment Appeal Board finds the applicant did not provide good cause to remand this matter. The Employer failed to follow the directions on the Notice of Hearing which explain that the parties are required to initiate the call to the Administrative Law Judge at the date and time of the hearing. Therefore, the remand request is **DENIED**.



James M. Strohman



Myron R. Linn



Ashley R. Koopmans

RRA/JD
DATED AND MAILED May 30, 2024

