

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

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ALLAN M FITZ

Claimant,

and

DALE HOWARD INC

Employer.

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**HEARING NUMBER: 11B-UI-00878DC**

**EMPLOYMENT APPEAL BOARD  
DECISION**

**SECTION: 96.5-1**

**D E C I S I O N**

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**.

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 argument and additional evidence was considered, the Employment Appeal Board, in its discretion, finds that the admission of the additional evidence is not warranted in reaching today's decision.

We note that, as directed by the remand order, we of course did reassess the entire record in light of the three attachments to the Order. We do consider these three documents to be part of the record at this point. We nevertheless reach the same conclusion as we did before.

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John A. Peno

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Monique Kuester

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Elizabeth L. Seiser