

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

ACKIM CHIBWILA

Claimant

: **APPEAL NUMBER:** 24B-UI-10896
: **ALJ HEARING NUMBER:** 23A-UI-10896

and

:

**EMPLOYMENT APPEAL BOARD
DECISION**

REMEDY INTELLIGENT STAFFING 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.

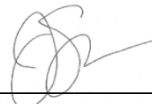
A **REHEARING REQUEST** shall state the specific grounds and relief sought. If the rehearing request is denied, a petition may be filed in **DISTRICT COURT** within **30 days** of the date of the denial.

SECTION: 96.5-2 24.32-1

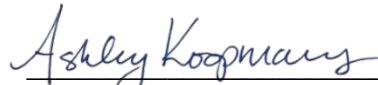
DECISION

UNEMPLOYMENT BENEFITS ARE ALLOWED IF OTHERWISE ELIGIBLE

The Employer appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board, one member dissenting, 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**.



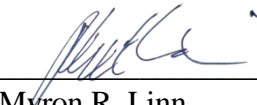
James M. Strohman



Ashley R. Koopmans

DISSENTING OPINION OF MYRON R. LINN:

I respectfully dissent from the majority decision of the Employment Appeal Board; I would reverse the administrative law judge's decision. The Claimant testified that he did not receive any handbook or documents of the Employer's client's policies and rules, including workforce behavior. I find this is not credible with the size of the Employer's client; therefore, the Claimant cannot use that excuse to explain his actions. The Employer's client has a zero-tolerance policy regarding sexual harassment and the Claimant violated that policy. I would find the Claimant was separated for job-related misconduct.



Myron R. Linn

SRC/fnv

DATED AND MAILED: JAN 25 2024