

**IN THE IOWA ADMINISTRATIVE HEARINGS DIVISION  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**ROBERT R ENTSMINGER**  
Claimant

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**APPEAL NO. 25A-UI-01618-JT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 10/20/24**  
**Claimant: Appellant (1)**

Iowa Code Section 96.3(7) - Overpayment

**STATEMENT OF THE CASE:**

On February 24, 2025, Robert Entsminger (claimant) filed a timely appeal from the February 13, 2025 (reference 03) decision that held he was overpaid \$1,260.00 unemployment insurance benefits for three weeks between January 5, 2025 and January 25, 2025, due to an earlier decision that disqualified him for benefits in connection with his separation from employment with Angela Moore. Mr. Entsminger requested an in-person hearing.

After due notice was issued, an in-person hearing was held on March 13, 2025 at the Cedar Rapids IowaWORKS Center. Mr. Entsminger participated and presented additional testimony through Angela Moore. The administrative law judge took official notice of the entire record pertaining to Appeal Number 25AUI01617-JT-T, which included the testimony, the reference 02 and 03 decisions, the reference 02 fact-finding notes, and the on-the-record timeliness ruling. At the time of the hearing in the present appeal number, the administrative law judge also took official notice of the IWD TN327) records, including DBRO and NMRO.

**ISSUE:**

Whether the claimant was overpaid \$1,260.00 unemployment insurance benefits for three weeks between January 5, 2025 and January 25, 2025, due to an earlier decision that disqualified him for benefits in connection with his separation from employment with Angela Moore.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds:

Robert Entsminger established an original claim for benefits that was effective October 20, 2025. IWD set the weekly benefit amount at \$420.00. Mr. Entsminger received benefits that included \$1,260.00 for the three weeks between January 5, 2025 and January 25, 2025.

On January 29, 2025, Iowa Workforce Development entered a reference 02 decision that disqualified Mr. Entsminger for benefits and held the employer's account would not be charged for benefits, based on the IWD deputy's conclusion that Mr. Entsminger voluntarily quit on

January 8, 2025 without good cause attributable to the employer. The reference 02 decision prompted and is the basis for the overpayment decision from which Mr. Entsminger appeals in the present matter. The reference 02 decision was affirmed in Appeal Number 25AUI01617-JT-T due to an untimely appeal from that decision. The reference 02 decision remains in effect.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.3(7) provides in relevant part as follows:

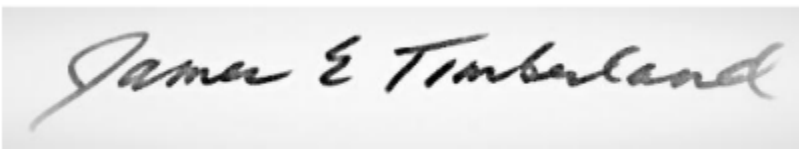
7. Recovery of overpayment of benefits.

a. If an individual receives benefits for which the individual is subsequently determined to be ineligible, even though the individual acts in good faith and is not otherwise at fault, the benefits shall be recovered. The department in its discretion may recover the overpayment of benefits either by having a sum equal to the overpayment deducted from any future benefits payable to the individual or by having the individual pay to the department a sum equal to the overpayment.

The reference 02 decision disqualified Mr. Entsminger for benefits in connection with a January 8, 2025 separation. Because the reference 02 decision remains in effect, the \$1,260.00 in benefits that Mr. Entsminger received for the three weeks between January 5, 2025 and January 25, 2025 are an overpayment of benefits must be recovered from Mr. Entsminger.

**DECISION:**

The February 13, 2025 (reference 03) decision was AFFIRMED. The claimant was overpaid \$1,260.00 in unemployment insurance benefits for three weeks between January 5, 2025 and January 25, 2025, due to January 29, 2025 (reference 02) decision that disqualified him for benefits in connection with his January 8, 2025 separation from employment with Angela Moore. The claimant must repay the overpaid benefits.

A handwritten signature in black ink that reads "James E. Timberland". The signature is written in a cursive, flowing style.

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James E. Timberland  
Administrative Law Judge

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March 17, 2025  
Decision Dated and Mailed

JET/jkb

**APPEAL RIGHTS.** If you disagree with the decision, you or any interested party may:

1. Appeal to the Employment Appeal Board within fifteen (15) days of the date under the judge's signature by submitting a written appeal via mail, fax, or online to:

**Employment Appeal Board  
6200 Park Ave Suite 100  
Des Moines, Iowa 50321  
Fax: (515)281-7191  
Online: [eab.iowa.gov](http://eab.iowa.gov)**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

**AN APPEAL TO THE BOARD SHALL STATE CLEARLY:**

- 1) The name, address, and social security number of the claimant.
- 2) A reference to the decision from which the appeal is taken.
- 3) That an appeal from such decision is being made and such appeal is signed.
- 4) The grounds upon which such appeal is based.

An Employment Appeal Board decision is final agency action. If a party disagrees with the Employment Appeal Board decision, they may then file a petition for judicial review in district court.

2. If no one files an appeal of the judge's decision with the Employment Appeal Board within fifteen (15) days, the decision becomes final agency action, and you have the option to file a petition for judicial review in District Court within thirty (30) days after the decision becomes final. Additional information on how to file a petition can be found at Iowa Code §17A.19, which is online at <https://www.legis.iowa.gov/docs/code/17A.19.pdf>.

**Note to Parties:** YOU MAY REPRESENT yourself in the appeal or obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds.

**Note to Claimant:** It is important that you file your weekly claim as directed, while this appeal is pending, to protect your continuing right to benefits.

**SERVICE INFORMATION:**

A true and correct copy of this decision was mailed to each of the parties listed.

**DERECHOS DE APELACIÓN.** Si no está de acuerdo con la decisión, usted o cualquier parte interesada puede:

1. Apelar a la Junta de Apelaciones de Empleo dentro de los quince (15) días de la fecha bajo la firma del juez presentando una apelación por escrito por correo, fax o en línea a:

**Employment Appeal Board  
6200 Park Ave Suite 100  
Des Moines, Iowa 50321  
Fax: (515)281-7191  
En línea: [eab.iowa.gov](http://eab.iowa.gov)**

El período de apelación se extenderá hasta el siguiente día hábil si el último día para apelar cae en fin de semana o día feriado legal.

**UNA APELACIÓN A LA JUNTA DEBE ESTABLECER CLARAMENTE:**

- 1) El nombre, dirección y número de seguro social del reclamante.
- 2) Una referencia a la decisión de la que se toma la apelación.
- 3) Que se interponga recurso de apelación contra tal decisión y se firme dicho recurso.
- 4) Los fundamentos en que se funda dicho recurso.

Una decisión de la Junta de Apelaciones de Empleo es una acción final de la agencia. Si una de las partes no está de acuerdo con la decisión de la Junta de Apelación de Empleo, puede presentar una petición de revisión judicial en el tribunal de distrito.

2. Si nadie presenta una apelación de la decisión del juez ante la Junta de Apelaciones Laborales dentro de los quince (15) días, la decisión se convierte en acción final de la agencia y usted tiene la opción de presentar una petición de revisión judicial en el Tribunal de Distrito dentro de los treinta (30) días después de que la decisión adquiriera firmeza. Puede encontrar información adicional sobre cómo presentar una petición en el Código de Iowa §17A.19, que está en línea en <https://www.legis.iowa.gov/docs/code/17A.19.pdf>.

**Nota para las partes:** USTED PUEDE REPRESENTARSE en la apelación u obtener un abogado u otra parte interesada para que lo haga, siempre que no haya gastos para Workforce Development. Si desea ser representado por un abogado, puede obtener los servicios de un abogado privado o uno cuyos servicios se paguen con fondos públicos.

**Nota para el reclamante:** es importante que presente su reclamo semanal según las instrucciones, mientras esta apelación está pendiente, para proteger su derecho continuo a los beneficios.

**SERVICIO DE INFORMACIÓN:**

Se envió por correo una copia fiel y correcta de esta decisión a cada una de las partes enumeradas.