

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

JUAN F GARCIA
Claimant

APPEAL NO. 15A-UI-02031-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 01/04/15
Claimant: Appellant (1)

Iowa Code Section 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

Juan Garcia filed a timely appeal from the February 6, 2015, reference 03, decision that he was overpaid \$1664 for four weeks between January 4, 2015 and January 31, 2015, based on an earlier decision that disqualified him for benefits in connection with a voluntary quit without good cause from Randstad General Partner U.S., L.L.C. After due notice was issued, a hearing was held on March 16, 2015. Claimant participated. Angie Keeler, Manager, represented the employer. Spanish-English interpreter Ike Rocha assisted with the hearing. The hearing in this matter was consolidated with the hearing in Appeal No. 15A-UI-02030-JTT. The administrative law judge took official notice of the Agency's administrative of benefits paid to the claimant.

ISSUE:

Whether the claimant was overpaid \$1664 for four weeks between January 4, 2015 and January 31, 2015.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Juan Garcia established a claim for benefits that was effective January 4, 2015 and received \$1,664.00 in benefits for four weeks between January 4, 2015 and January 31, 2015. On February 5, 2015, a Workforce Development claims deputy entered a reference 02 decision that disqualified Mr. Garcia for benefits based on an Agency conclusion that Mr. Garcia had voluntarily quit employment with Randstad General Partner U.S., L.L.C. in December 2014 without good cause attributable to that employer. The reference 02 decision prompted the reference 03 overpayment decision from which Mr. Garcia appeals in this matter. The reference 02 disqualification decision had been affirmed on appeal. See Appeal No. 15A-UI-02030-JTT.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code Section 96.3(7) provides that if a claimant receives benefits and is deemed ineligible for benefits, the claimant must repay the benefits, and Workforce Development must recover the benefits, even if the claimant was not at fault in receiving benefits. Because the disqualification decision that prompted the reference 03 overpayment decision has been affirmed on appeal, the administrative law judge concludes that Mr. Garcia was overpaid \$1664 in benefits for four weeks between January 4, 2015 and January 31, 2015. Mr. Garcia must repay that amount.

DECISION:

The February 6, 2015, reference 03, decision is affirmed. The claimant was overpaid \$1664 in benefits for four weeks between January 4, 2015 and January 31, 2015. The claimant must repay that amount.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

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