

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**ERIC R DORSEY**  
Claimant

**APPEAL NO: 21A-UI-03838-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 04/26/20**  
**Claimant: Appellant (1)**

Iowa Code § 96.3(7) - Overpayment

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the January 22, 2021, reference 05, decision that held he was overpaid \$518.00 in regular benefits for the week that ended May 2, 2020, based on the earlier decision that disqualified him for benefits in connection with his voluntary quit from Katelman Steel Fabrication, Inc. After due notice was issued, a telephone hearing was held at on March 18, 2021. The claimant, Eric Dorsey, participated. The hearing in this matter was consolidated with the hearing in Appeal Number 21A-UI-03837-JTT. Exhibit A was received into evidence. The administrative law judge took official notice of the July 17, 2020, reference 03, decision, the January 22, 2021, reference 05, decision, and the Agency's administrative record of benefits paid to the claimant (DBRO and KPYX).

**ISSUE:**

Whether the claimant was overpaid \$518.00 in regular benefits for the week that ended May 2, 2020, based on the earlier decision that disqualified him for benefits in connection with his voluntary quit form Katelman Steel Fabrication, Inc.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant established an original claim for benefits that was effective April 26, 2020. Iowa Workforce Development set the weekly benefit amount at \$518.00. IWD paid \$518.00 in regular benefits to the claimant for the week that ended May 2, 2020.

On July 17, 2020, Iowa Workforce Development issued a reference 03, decision that disqualified the claimant for benefits, based on the deputy's conclusion that the claimant voluntarily quit employment with Katelman Steel Fabrication, Inc. on April 8, 2020 without good cause attributable to that employer. The reference 03 disqualification decision prompted the overpayment decision from which the claimant appeals in the present matter. The reference 03 decision has been affirmed in Appeal Number 21A-UI-03837-JTT.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.3(7)(a) provides:

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.

Because the reference 03 decision disqualified the claimant for benefits in connection with the April 8, 2020 separation from Katelman Steel, and because the reference 03 disqualification decision has been affirmed on appeal, the \$518.00 in regular benefits the claimant received for the week that ended May 2, 2020 is an overpayment of benefits that the claimant must repay.

**DECISION:**

The January 22, 2021, reference 05, decision is affirmed. The claimant was overpaid \$518.00 in regular benefits for the week that ended May 2, 2020, based on the earlier decision that disqualified him for benefits in connection with his voluntary quit from Katelman Steel Fabrication, Inc.

**NOTE TO CLAIMANT:**

- This decision determines you are not eligible for regular unemployment insurance benefits under state law. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision.
- If you do not qualify for regular unemployment insurance benefits under state law and are currently unemployed for reasons related to COVID-19, you may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** For more information on how to apply for PUA, go to <https://www.iowaworkforcedevelopment.gov/pua-information>. **If you do not apply for and are not approved for PUA for the affected period, you will be required to repay the benefits you have received.**



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March 19, 2021  
Decision Dated and Mailed

jet/scn