

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

RASHAUN T GRAVES
Claimant

APPEAL NO. 18A-UI-06664-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 05/20/18
Claimant: Appellant (1)

Iowa Code Section 96.3(7) - Overpayment

STATEMENT OF THE CASE:

Rashaun Graves filed a timely appeal from the June 19, 2018, reference 02, decision that he was overpaid \$1,209.00 in benefits for the three weeks between May 20, 2018 and June 9, 2018, based on an earlier decision that disqualified him for benefits in connection with his discharge from employment with CG Acquisition Company. After due notice was issued, a hearing was held on July 5, 2018. Mr. Graves participated. The hearing in this matter was consolidated with the hearing in Appeal Number 18A-UI-06663-JTT. The administrative law judge took official notice of the Agency's administrative record of benefits disbursed to the claimant.

ISSUE:

Whether Mr. Graves was overpaid \$1,209.00 in benefits for the three weeks between May 20, 2018 and June 9, 2018.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Rashaun Graves established an original claim for unemployment insurance benefits that was effective May 20, 2018 and received \$1,209.00 in benefits for the three weeks between May 20, 2018 and June 9, 2018. On June 18, 2018, an Iowa Workforce Development Benefits Bureau deputy entered a reference 01 decision that disqualified Mr. Graves for benefits, based on the deputy's conclusion that Mr. Graves was discharged on May 21, 2018 for misconduct in connection with the employment. The June 18, 2018, reference 01, disqualification decision prompted the overpayment decision from which Mr. Graves appeals in the present matter. The disqualification decision has been affirmed on appeal in Appeal Number 18A-UI-06663-JTT.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3(7) provides that if a claimant receives benefits and is deemed ineligible for the benefits, Workforce Development must recovery the benefits and the claimant must repay the benefits, even if the claimant was not at fault in receiving the benefits.

Mr. Graves received \$1,209.00 in benefits for the three weeks between May 20, 2018 and June 9, 2018, but was disqualified for those benefits through the June 18, 2018, reference 01, decision. Because the disqualification decision had been affirmed on appeal, the benefits Mr. Graves received constitute an overpayment of benefits. Mr. Graves must repay the benefits.

DECISION:

The June 19, 2018, reference 02, decision is affirmed. The claimant was overpaid \$1,209.00 in benefits for the three weeks between May 20, 2018 and June 9, 2018. The claimant must repay the benefits.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs