

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

LAURA L MILLER
Claimant

APPEAL NO. 18A-UI-03792-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 12/31/17
Claimant: Appellant (1)

Iowa Code Section 96.3(7) - Overpayment

STATEMENT OF THE CASE:

Laura Miller filed a timely appeal from the March 26, 2018, reference 06, decision that held she was overpaid \$910.00 in benefits for the two-week period of February 18, 2018 through March 3, 2018, based on an earlier decision that disqualified her for benefits in connection with her voluntary quit from SourceHov Healthcare, Inc. After due notice was issued, a hearing was held on April 20, 2018. Ms. Miller participated and presented additional testimony through Corey Miller. The hearing in this matter was consolidated with the hearing in Appeal Number 18A-UI-03791-JTT. The administrative law judge took official notice of the agency's administrative record of benefits.

ISSUE:

Whether the claimant was overpaid \$910.00 in benefits for the two-week period of February 18, 2018 through March 3, 2018,

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Laura Miller established an original claim for unemployment insurance benefits that was effective December 31, 2017 and received benefits that included \$910.00 for the two-week period of February 18, 2018 through March 3, 2018. On March 21, 2018, a Workforce Development Benefits Bureau deputy entered the March 21, 2018, reference 05, decision that disqualified Ms. Miller for benefits, based on the deputy's conclusion that Ms. Miller voluntarily quit on February 19, 2018 without good cause attributable to the employer. The March 21, 2018, reference 05, disqualification decision triggered the overpayment decision from which Ms. Miller appeals in the present matter. The March 21, 2018, reference 05, disqualification decision has been affirmed on appeal in Appeal Number 18A-UI-03791-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 recover the benefits and the claimant must repay the benefits, even if the claimant was not at fault in receiving the benefits. Because the March 21, 2018, reference 05, disqualification decision that prompted the overpayment decision

has been affirmed on appeal, the administrative law concludes that Ms. Miller was overpaid \$910.00 in benefits for the two-week period of February 18, 2018 through March 3, 2018,

DECISION:

The March 26, 2018, reference 06, decision is affirmed. The claimant was overpaid \$910.00 in benefits for the two-week period of February 18, 2018 through March 3, 2018,

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs