

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

JONTAVIOUS J SANFORD
Claimant

APPEAL NO. 19A-UI-01585-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 12/30/18
Claimant: Appellant (2)

Iowa Code Section 96.5(1)(g) – Requalification

STATEMENT OF THE CASE:

Jontavious Sanford filed a timely appeal from the February 20, 2019, reference 04, decision that held he was overpaid \$1,020.00 for five weeks between December 30, 2018 and February 2, 2019, based on an earlier decision that disqualified him for benefits in connection with his separation from Express Services, Inc. After due notice was issued, a hearing was held on March 7, 2019. Mr. Sanford participated. The hearing in this matter was consolidated with the hearing in Appeal Number 19A-UI-01584-JTT. The administrative law judge took official notice of the following Agency administrative records: database readout (DBRO) and quarterly wage reports (WAGE-A).

ISSUE:

Whether the claimant was overpaid \$1,020.00 for five weeks between December 30, 2018 and February 2, 2019, based on an earlier decision that disqualified him for benefits in connection with his separation from Express Services, Inc.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Jontavious Sanford established an original claim for benefits that was effective December 30, 2018 and received \$1,020.00 unemployment insurance benefits for five weeks between December 30, 2018 and February 2, 2019. On February 11, 2019, reference 03, decision that held Mr. Sanford was disqualified for benefits, based on the deputy's conclusion that Mr. Sanford voluntarily quit employment with Express Services, Inc. on July 3, 2018 without good cause attributable to the employer. The February 11, 2019, reference 03, decision prompted the overpayment decision from which Mr. Sanford appeals in the present matter. The February 11, 2019, reference 03, decision has been modified on appeal to allow benefits to Mr. Sanford in connection with the December 30, 2018 original claim provided he meets all other eligibility requirements, based on Mr. Sanford's requalification for benefits. See Appeal Number 19A-UI-01584-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 disqualification decision that triggered the overpayment decision has been modified on appeal to allow benefits in connection with the December 30, 2018 original claim provided Mr. Sanford meets all other eligibility requirements, the administrative law judge concludes that Mr. Sanford was not overpaid \$1,020.00 for five weeks between December 30, 2018 and February 2, 2019.

DECISION:

The February 20, 2019, reference 04, decision is reversed. The claimant was not overpaid \$1,020.00 for five weeks between December 30, 2018 and February 2, 2019.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs