BEFORE THE EMPLOYMENT APPEAL BOARD Lucas State Office Building Fourth floor Des Moines, Iowa 50319

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PATRICIA INMAN

Claimant

HEARING NUMBER: 21B-UI-16574

EMPLOYMENT APPEAL BOARD DECISION

NOTICE

THIS DECISION BECOMES FINAL unless (1) a **request for a REHEARING** is filed with the Employment Appeal Board within **20 days** of the date of the Board's decision or, (2) a **PETITION TO DISTRICT COURT** IS FILED WITHIN **30 days** of the date of the Board's decision.

A **REHEARING REQUEST** shall state the specific grounds and relief sought. If the rehearing request is denied, a petition may be filed in **DISTRICT COURT** within **30 days** of the date of the denial.

SECTION: 96.3-7

DECISION

The Claimant appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds the administrative law judge's decision is correct. With the following modification, the administrative law judge's Findings of Fact and Reasoning and Conclusions of Law are adopted by the Board as its own. The administrative law judge's decision is **AFFIRMED** with the following **MODIFICATION**:

The Board adds the following finding of fact: The first full week of summer break was the week commencing on May 31, 2020.

The Board adds the following analysis to the Reasoning and Conclusion of Law:

In case 20A-UI-10828 the Claimant was disqualified because she had reasonable assurance of returning at the next academic year. This disqualification only applies between academic terms. This claim shows no other disqualification decision that could cause an overpayment. It was error, therefore, to overpay the

Claimant for weeks prior to the summer break. The Claimant should not be overpaid for the 10 weeks from March 22, 2020 through May 30, 2020. The overpayment is accordingly **reduced** to \$500.

James M. Strohman

Ashley R. Koopmans

Myron R. Linn

RRA/fnv