

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JONATHAN B CARDOZA GONZALEZ
Claimant

APPEAL NO. 15A-UI-04517-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 01/25/15
Claimant: Appellant (1)**

Section 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

Jonathan Cardoza Gonzalez filed a timely appeal from the April 8, 2015, reference 03, decision that held he was overpaid \$381.00 in benefits for two weeks between February 15, 2015 and February 28, 2015 based on an earlier decision that disqualified him for benefits. After due notice was issued, a hearing was held on May 21, 2015. The claimant participated. The hearing in this matter was consolidated with the hearing in appeal number 15A-UI-04516-JTT. The administrative law judge took official notice of the Agency's administrative record of benefits disbursed to the claimant.

ISSUE:

Whether the claimant was overpaid \$381.00 in benefits for two weeks between February 15, 2015 and February 28, 2015.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant established a claim for benefits that was effective January 25, 2015. The claimant received benefits that included \$381.00 in benefits for the two-week period ending February 28, 2015. On April 7, 2015, an Iowa Workforce Development claims deputy entered a reference 02 decision that disqualified the claimant for benefits based on a February 16, 2015 voluntary quit. That decision had been affirmed on appeal. See appeal number 15A-UI-04516-JTT. The April 7, 2015, reference 02, decision prompted the overpayment decision from which the claimant appeals in this matter.

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, the claimant must repay the benefits, even if the claimant was not at fault in receiving the benefits.

Because the claimant received \$381.00 in benefits for the two-week period ending February 28, 2015, and because the claimant has been disqualified for benefits for that two-week period, the benefits constitute an overpayment that the claimant must repay to Workforce Development.

DECISION:

The April 8, 2015, reference 03, decision is affirmed. The claimant was overpaid \$381.00 in benefits for two weeks between February 15, 2015 and February 28, 2015. The claimant must repay the benefits.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

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