

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**MICHAEL CHANCELLOR**  
Claimant

**APPEAL 20A-UI-03418-DG-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT**

**OC: 04/05/20  
Claimant: Appellant (6)**

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Iowa Code § 96.6(3) – Appeals  
Iowa Admin. Code r. 871-24.19(1) – Determination and Review of Benefit Rights

**STATEMENT OF THE CASE:**

On April 23, 2020, the claimant filed an appeal from the April 21, 2020, (reference 04) unemployment insurance decision that denied benefits based on an outstanding fraud overpayment. This decision was identical to the reference 01 unemployment insurance decision for the same issue. After due notice was issued, a hearing was scheduled to be held by telephone conference call on May 15, 2020 at 2:05 p.m.

**ISSUE:**

Was the issue adjudicated in a prior unemployment insurance decision?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The denial of benefits for the outstanding fraud balance at issue has been determined in the reference 01 decision. An appeal hearing was also scheduled for the reference 01 decision and is set to occur May 15, 2020 at 2:00 p.m.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the issue will be determined in the appeal of the prior reference 01 unemployment insurance decision.

Iowa Admin. Code r. 871-24.19(1) provides:

Determination and review of benefit rights.

24.19(1) Claims for benefits shall be promptly determined by the department on the basis of such facts as it may obtain. Notice of such determination shall be promptly given to each claimant and to any employer whose employment relationship with the claimant, or the claimant's separation therefrom, involves actual or potential disqualifying issues relevant to the determination. Such notice to the claimant shall

advise of the weekly benefit amount, duration of benefits, wage records, other data pertinent to benefit rights, and if disqualified, the time of and reason for such disqualification. If a claimant is ineligible, such claimant shall be advised of such ineligibility and the reason therefor. Each notice of benefit determination which the department is required to furnish to the claimant shall, in addition to stating the decision and its reasons, include a notice specifying the claimant's appeal rights. The notice of appeal rights shall state clearly the place and manner for taking an appeal from the determination and the period within which an appeal may be taken. Unless the claimant or any such other party entitled to notice, within ten days after such notification was mailed to such claimant's last-known address, files with the department a written request for a review of or an appeal from such determination, such determination shall be final.

Inasmuch as the issue presented will be resolved in the prior reference 01 unemployment insurance appeal hearing and decision, this decision is dismissed as duplicative.

**DECISION:**

The April 21, 2020, (reference 04) unemployment insurance decision is dismissed as duplicative. The prior reference 01 decision remains in effect. A hearing on that matter remains scheduled for May 15, 2020 at 2:00 p.m.

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Nicole Merrill  
Administrative Law Judge

May 15, 2020  
Decision Dated and Mailed

nm/scn