

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KEVIN W DODGE
Claimant

APPEAL NO: 18A-UI-06619-JC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 04/08/18
Claimant: Appellant (2)**

Iowa Code § 96.4(3) - Able and Available
Iowa Admin. Code r. 871-24.2(1)e – Notice to Report
Iowa Admin. Code r. 871-24.23(11) – Failure to Report
Iowa Admin Code chapter 25- Benefit payment control
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action

STATEMENT OF THE CASE:

The claimant, Kevin W. Dodge, filed an appeal from the June 13, 2018, (reference 03) unemployment insurance decision that concluded the claimant was ineligible for benefits. After due notice was issued, a hearing was scheduled to be held on July 13, 2018. Because the issue appealed was resolved administratively prior to the hearing in the appellant's favor (see the reference 05 representative's decision), no testimony was necessary and no hearing was held.

ISSUE:

Should the unemployment insurance decision be affirmed?
Has the claimant been overpaid any unemployment insurance benefits?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant filed a new claim for unemployment insurance benefits with an effective date of April 8, 2018. A reference 03 decision dated June 13, 2018 concluded the claimant did not meet the eligibility requirements to receive unemployment insurance benefits. The decision appealed has been amended in favor of the appellant by the reference 05 representative's decision dated June 22, 2018.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the representative's decision should be reversed.

The issue in this case is whether the claimant was overpaid unemployment insurance benefits. Since the decision concluding the claimant was ineligible for benefits has been reversed by the reference 05 decision, the original representative's decision bearing reference 05 is reversed.

The hearing scheduled for July 13, 2018 is cancelled.

DECISION:

The June 13, 2018, (reference 03) unemployment insurance decision is reversed. The claimant is allowed benefits, provided the claimant meets all other eligibility requirements.

Jennifer L. Beckman
Administrative Law Judge

Decision Dated and Mailed

jlb/scn