

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MELANIE D SEDAM
Claimant

APPEAL NO. 18A-UI-10671-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 09/23/18
Claimant: Appellant (1)

Iowa Code Section 96.3(7) - Overpayment

STATEMENT OF THE CASE:

Melanie Sedam filed a timely appeal from the October 23, 2018, reference 02, decision that held she was overpaid \$978.00 in unemployment insurance benefits for the three weeks between September 23, 2018 and October 13, 2018, based on an earlier decision that disqualified her for benefits in connection with her voluntary separation from Walmart, Inc. After due notice was issued, a hearing was held on November 9, 2018. Ms. Sedam participated. The hearing in this matter was consolidated with the hearing in Appeal Number 18A-UI-10670-JTT. The administrative law judge took official notice of the Agency's record of benefits disbursed to the claimant.

ISSUE:

Whether Ms. Sedam was overpaid \$978.00 in unemployment insurance benefits for the three weeks between September 23, 2018 and October 13, 2018, based on an earlier decision that disqualified her for benefits in connection with her voluntary separation from Walmart, Inc.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Melanie Sedam established an original claim for benefits that was effective September 23, 2018 and received \$978.00 in benefits for the three weeks between September 23, 2018 and October 13, 2018. On October 23, 2018, an Iowa Workforce Development Benefits Bureau deputy entered the reference 01 decision that disqualified Ms. Sedam for benefits, based on the deputy's conclusion that Ms. Sedam voluntarily quit employment with Walmart, Inc. on July 23, 2018 without good cause attributable to the employer. The disqualification decision prompted the overpayment decision from which Ms. Sedam appeals in the present matter. The October 23, 2018, reference 01, disqualification decision has been affirmed on appeal. See Appeal Number 18A-UI-10670-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 serves as the basis for the overpayment decision has been affirmed on appeal, the evidence establishes that Ms. Sedam was indeed overpaid \$978.00 in unemployment insurance benefits for the three weeks between September 23, 2018 and October 13, 2018. Ms. Sedam must repay the overpaid benefits.

DECISION:

The October 23, 2018, reference 02, decision is affirmed. The claimant was overpaid \$978.00 in unemployment insurance benefits for the three weeks between September 23, 2018 and October 13, 2018. The claimant must repay the overpaid benefits.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/scn