

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

KATHRYN L MOON
Claimant

APPEAL NO. 18A-UI-09948-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 08/12/18
Claimant: Appellant (2)

Iowa Code Section 96.3(7) - Overpayment

STATEMENT OF THE CASE:

Kathryn Moon filed a timely appeal from the September 24, 2018, reference 02, decision that held she was overpaid \$2,335.00 in benefits for five weeks between August 12, 2018 and September 15, 2018, based on an earlier decision that disqualified her for benefits in connection with her separation from Teksystems, Inc. After due notice was issued, a hearing was held on October 12, 2018. Ms. Moon participated. The hearing in this matter was consolidated with the hearing in Appeal Number 18A-UI-09947-JTT. The administrative law judge took official notice of the Agency's record of benefits disbursed to the claimant and received Exhibit A into evidence.

ISSUE:

Whether Ms. Moon was overpaid \$2,335.00 in benefits for five weeks between August 12, 2018 and September 15, 2018.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Kathryn Moon established an original claim for benefits that was effective August 12, 2018 and received \$2,335.00 in benefits for five weeks between August 12, 2018 and September 15, 2018. On September 20, 2018, an Iowa Workforce Development Benefits Bureau deputy entered a reference 01 decision that disqualified Ms. Moon for benefits, based the deputy's conclusion that Ms. Moon had voluntarily quit employment with Teksystems, Inc. on July 11, 2018 without good cause attributable to the employer. The September 20, 2018, reference 01, decision prompted the overpayment decision from which Ms. Moon appeals in the present matter. The September 20, 2018, reference 01, disqualification decision has been reversed on appeal in Appeal Number 18A-UI-09947-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 recovery 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 triggered the overpayment decision has been reversed on appeal, the administrative law judge concludes that Ms. Moon was not overpaid \$2,335.00 in benefits for five weeks between August 12, 2018 and September 15, 2018.

DECISION:

The September 24, 2018, reference 02, decision is reversed. The claimant was not overpaid \$2,335.00 in benefits for five weeks between August 12, 2018 and September 15, 2018.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs