

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**SIMON A GARANG**  
Claimant

**APPEAL 17A-UI-10135-DL-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 08/06/17  
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:**

The claimant filed an appeal from the September 26, 2017, (reference 08) unemployment insurance decision that concluded he is overpaid \$473.00 in unemployment insurance benefits because of not being able to or available for work the week-ending September 2, 2017, which is identical to the reference 07 decision for the same issue. After due notice was issued, a hearing was scheduled to be held by telephone conference call on October 19, 2017.

**ISSUE:**

Was the issue adjudicated in a prior representative's decision?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The separation at issue has been determined in the reference 07 decision of the same date. That overpayment decision has been affirmed.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the separation at issue has been determined in the prior reference 07 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 was resolved in the prior reference 07 unemployment insurance decision, this decision is dismissed as duplicative.

**DECISION:**

The September 26, 2017, (reference 08) unemployment insurance decision is dismissed as duplicative. The prior reference 07 decision on the overpayment remains in effect.

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Dévon M. Lewis  
Administrative Law Judge

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Decision Dated and Mailed

dml/scn