

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

LEE GONQUOI
Claimant

APPEAL NO. 18A-UI-05139-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 04/01/18
Claimant: Appellant (2)

Iowa Code Section 96.3(7) – Overpayment

STATEMENT OF THE CASE:

Lee Gonquoi filed a timely appeal from the May 1, 2018, reference 04, decision that held he was overpaid \$910.00 in unemployment insurance benefits for the two-week period of April 1-14, 2018, based on an earlier decision that disqualified him for benefits in connection with a discharge from employment with Hormel Foods Corporation. After due notice was issued, a hearing was held on May 21, 2018. Mr. Gonquoi participated. The hearing in this matter was consolidated with the hearing in Appeal Number 18A-UI-05138-JTT. Exhibits 1 through 11 and A were received into evidence. The administrative law judge took official notice of the Agency's administrative record of benefits disbursed to the claimant.

ISSUE:

Whether the claimant was overpaid \$910.00 in unemployment insurance benefits for the two-week period of April 1-14, 2018, based on an earlier decision that disqualified him for benefits in connection with a discharge from employment with Hormel Foods Corporation.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Lee Gonquoi established an original claim for unemployment insurance benefits that was effective April 1, 2018. Mr. Gonquoi received \$910.00 in unemployment insurance benefits for the two-week period of April 1-14, 2018. On April 27, 2018, an Iowa Workforce Development Benefits Bureau deputy entered a reference 01 decision that disqualified Mr. Gonquoi for benefits based on the deputy's conclusion that Mr. Gonquoi was discharged from employment with Hormel Foods Corporation on March 28, 2018 for failure to perform satisfactory work despite the ability to perform satisfactory work. The April 27, 2018, reference 01, disqualification decision prompted the overpayment decision from which Mr. Gonquoi appeals in the present matter. The April 27, 2018, reference 01, disqualification decision has been reversed on appeal in Appeal Number 18A-UI-05138-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.

Mr. Gonquoi received the benefits in question. Because the April 27, 2018, reference 01, disqualification decision that prompted the overpayment decision has been reversed on appeal, the administrative law judge concludes that Mr. Gonquoi was not overpaid \$910.00 in unemployment insurance benefits for the two-week period of April 1-14, 2018.

DECISION:

May 1, 2018, reference 04, decision is reversed. The claimant was not overpaid \$910.00 in unemployment insurance benefits for the two-week period of April 1-14, 2018.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs