

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

PIERRE J LANHAM
Claimant

APPEAL NO. 18A-UI-01804-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 08/06/17
Claimant: Appellant (1)

Iowa Code Section 96.3(7) - Overpayment

STATEMENT OF THE CASE:

Pierre Lanham filed a timely appeal from the February 1, 2018, reference 08, decision that held he was overpaid \$910.00 in benefits for the two weeks between December 24, 2017 and January 6, 2018, based on an earlier decision that disqualified him for benefits in connection with a voluntary quit. After due notice was issued, a hearing was held on February 22, 2018. The hearing in this matter was consolidated with the hearing in Appeal Number 18A-UI-01318-JTT. Mr. Lanham participated. The administrative law judge took official notice of the Agency's record of benefits disbursed to the claimant and received Exhibits A and B into evidence.

ISSUE:

Whether Mr. Lanham was overpaid \$910.00 in benefits for the two weeks between December 24, 2017 and January 6, 2018, based on an earlier decision that disqualified him for benefits in connection with a voluntary quit.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Pierre Lanham established an original claim for benefits that was effective August 6, 2017. Iowa Workforce Development set Mr. Lanham's weekly benefit amount at \$455.00. Mr. Lanham received unemployment insurance benefits that included \$910.00 in benefits for the two weeks between December 24, 2017 and January 6, 2018. On January 26, 2018, a Workforce Development Benefits Bureau deputy entered the January 26, 2018, reference 07, decision that disqualified Mr. Lanham for benefits based on a conclusion that Mr. Lanham had voluntarily quit employment with the United States Postal Service effective December 22, 2017 without good cause attributable to the employer. The January 26, 2018, reference 07, disqualification decision prompted the overpayment decision from which Mr. Lanham appeals in this matter. The January 26, 2018, reference 07, disqualification decision has been affirmed in Appeal Number 18A-UI-01318-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 prompted the overpayment decision has been affirmed on appeal, the administrative law judge must conclude that Mr. Lanham was overpaid \$910.00 in benefits for the two weeks between December 24, 2017 and January 6, 2018, based on an earlier decision that disqualified him for benefits in connection with a December 22, 2017 voluntary quit without good cause attributable to employer United States Postal Service.

DECISION:

The February 1, 2018, reference 08, decision is affirmed. The claimant was overpaid \$910.00 in benefits for the two weeks between December 24, 2017 and January 6, 2018, based on an earlier decision that disqualified him for benefits in connection with a December 22, 2017 voluntary quit without good cause attributable to the employer.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs