

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

**ADAM M BYRNE**  
Claimant

**APPEAL NO. 18A-UI-01264-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 12/10/17**  
**Claimant: Appellant (2)**

Iowa Code Section 96.3(7) - Overpayment

**STATEMENT OF THE CASE:**

Adam Byrne filed an appeal from the January 19, 2018, reference 03, decision that held he was overpaid \$1,860.00 in benefits for the five weeks between December 10, 2017 and January 13, 2018 due to an earlier decision disqualified Mr. Byrne in connection with his separation from Peters Construction Corporation. After due notice was issued, a hearing was held on February 19, 2018. Mr. Byrne participated. The hearing in this matter was consolidated with the hearing in Appeal Number 18A-UI-01263-JTT. The administrative law judge took official notice of the Agency's administrative record of benefits disbursed to the claimant.

**ISSUE:**

Whether Mr. Byrne was overpaid \$1,860.00 in benefits for the five weeks between December 10, 2017 and January 13, 2018 due to an earlier decision disqualified Mr. Byrne in connection with his separation from Peters Construction Corporation.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Adam Byrne established an original claim for benefits that was effective December 10, 2017 and received \$1,860.00 in benefits for the five weeks between December 10, 2017 and January 13, 2018. On January 18, 2018, a Workforce Development Benefits Bureau deputy entered a January 18, 2018, reference 02, decision that disqualified Mr. Byrne for benefits, based on a conclusion that Mr. Byrne had voluntarily quit employment with Peters Construction Corporation on August 16, 2017 without good cause attributable to the employer. The January 18, 2018, reference 02, decision prompted the overpayment decision from which Mr. Byrne appeals in the present matter. The January 18, 2018, reference 02, decision has been reversed on appeal in Appeal Number 18A-UI-01263-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 prompted the overpayment decision has been reversed on appeal, the administrative law judge concludes that Mr. Byrne was not overpaid \$1,860.00 in benefits for the five weeks between December 10, 2017 and January 13, 2018

**DECISION:**

The January 19, 2018, reference 03, decision is reversed. The claimant was not overpaid \$1,860.00 in benefits for the five weeks between December 10, 2017 and January 13, 2018.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

jet/rvs