

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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| LEROY F RHODEN Claimant IOWA WORKFORCE DEVELOPMENT DEPARTMENT | <div>68-0157 (9-06) - 3091078 - EI</div> <div>APPEAL NO. 17A-UI-10967-JTT ADMINISTRATIVE LAW JUDGE DECISION</div> <div>OC: 08/13/17 Claimant: Appellant (1)</div> |
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Iowa Code Section 96.3(7) - Overpayment

STATEMENT OF THE CASE:

Leroy Rhoden filed a timely appeal from the October 19, 2017, reference 05, decision that held he was overpaid \$4,095.00 in benefits for the nine weeks between August 13, 2017 and October 14, 2017, based on an earlier decision that disqualified him for benefits in connection with his voluntary quit from CHC Consulting, L.L.C. After due notice was issued, a hearing was held on November 14, 2017. Mr. Rhoden participated. The hearing in this matter was consolidated with the hearing in Appeal Number 17A-UI-10966. The administrative law judge took official notice of the Agency's record of benefits disbursed to the claimant and received Exhibits A, B and C into evidence.

ISSUES:

Whether Mr. Rhoden was overpaid \$4,095.00 in benefits for the nine weeks between August 13, 2017 and October 14, 2017.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Leroy Rhoden established an original claim for benefits that was effective August 13, 2017. Mr. Rhoden received \$4,095.00 in benefits for the nine weeks between August 13, 2017 and October 14, 2017. On October 18, 2017, a Workforce Development claims deputy entered a reference 04, decision that disqualified Mr. Rhoden for benefits based on the claims deputy's conclusion that Mr. Rhoden had voluntarily quit employment with CHC Consulting, L.L.C. on June 12, 2017 without good cause attributable to the employer. The reference 04 disqualification decision prompted the overpayment decision from which Mr. Rhoden appeals in the present matter. The October 18, 2017, reference 04, decision has been affirmed in Appeal Number 17A-UI-10966-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. Rhoden received \$4,095.00 in benefits for the nine weeks between August 13, 2017 and October 14, 2017, but was disqualified for benefits by the October 18, 2017, reference 04, decision, based on the conclusion that he had voluntarily quit employment with CHC Consulting, L.L.C, effective June 12, 2017, without good cause attributable to that employer. Because of the disqualification decision, and because the disqualification has been affirmed on appeal, the administrative law judge concludes that the benefits Mr. Rhoden received constitute an overpayment of benefits. Mr. Rhoden is required to repay the overpaid benefits.

DECISION:

The October 19, 2017, reference 05, decision is affirmed. The claimant was overpaid \$4,095.00 in benefits for the nine weeks between August 13, 2017 and October 14, 2017. The claimant must repay the overpaid benefits.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs