

Iowa Employment Appeal Board
6200 Park Avenue, Suite 100
Des Moines, Iowa 50321-1270

Determination Number:
7546162

Appeals Bureau Docket:
2026004529-AT

Appeal Filed By:
VALERIE Duncan

Appeal Filed Date:
05/15/2026

Employment Appeal Board Docket:
2026000722-AB



STATE OF IOWA EMPLOYMENT APPEAL BOARD DECISION

Mail Date: June 16, 2026

Claimant/Job Seeker: VALERIE Duncan

Employer: N/A

In regard to the appeal by VALERIE Duncan:

Decision

FINDINGS OF FACT

The members of the Employment Appeal Board reviewed the entire record. The administrative law judge's Findings of Fact are adopted by the Board as their own.

REASONING AND CONCLUSIONS OF LAW

The members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds the administrative law judge's decision is correct. The administrative law judge's Reasoning and Conclusions of Law are adopted by the Board as their own.

DECISION

The administrative law judge's decision is AFFIRMED.

REMAND

The Iowa Employment Appeal Board (IEAB) read the Claimant's appeal to the Unemployment Insurance Appeals Bureau (UIAB). When filing the appeal in the "upgraded" unemployment insurance system, IowaWORKS (IAW), the Claimant selected to appeal a decision that addresses an overpayment only.

Equal Opportunity:

Auxiliary aids and services are available upon request to individuals with disabilities. For deaf and hard of hearing, use Relay 711.



The Claimant states in their appeal:

On Feb 11 I had a fact finding and during that conversation they talked about a facility called des moines nursing and i was not aware of what facility they were referring to and said that many times during the call. After that call I realized they were talking about harmony nursing home which apparently goes by 3 different names so i called in to talk to someone because i never refused a job from them. I was hired but they knew i was having a hysterectomy soon and they told me to wait until after my surgery to start working because i also had to do a bunch of online testing before starting. One of the things i had to have before i could start work was the dependent adult abuse certificate, and when i tried to take that class the website was not working, and i have emails that prove that i couldn't get into that class. I didn't get that class done until dec 12 and my unemployment had already ended. So theres no way i could work at that facility without that certificate. I called in to appeal the decision which is also recorded, and he walked my through doing the appeal on my phone but for some reason it didn't go through from my phone so i had been emailing the help line trying to find out why i hadn't heard anything when i finally received a call and he told me my appeal didn't go through. He told me to write this appeal to let you know i appealed it right away but it didn't work from my phone. Please relook at all the info because I should not have to refund any money. I did not refuse ANY job.

When looking at the system the Claimant had the option of filing the following appeals:

Non-Monetary Determinations

These notices have determined your eligibility or ineligibility for benefits. They may be appealed by you or your employer. Before filing the appeal, you should select the "View Determination" link to ensure you are appealing the correct one. Once you have that assurance, select the "File Appeal" link and follow the directions.

Issue ID	Issue Type	View Appeal	Determination Date	Appeal Status	Appeal Filed	Disposition (Disqualification Dates)	Action
Issue 3956473	10X Requalification-Separation		09/02/2025			Allowed	File Appeal View Determination
Issue 3989488	Warning - Re-Employment Activities		10/06/2025			Allowed	File Appeal View Determination
Issue 4011104	Re-Employment Activities	1835055	10/30/2025	Decision Rendered	11/04/2025	Denied 10/19/2025 - 10/25/2025	File Appeal View Determination
Issue 4016289	Illness/Injury	1835056	10/30/2025	Decision Rendered	11/04/2025	Denied 10/26/2025 - 11/01/2025	File Appeal View Determination
Issue 4003303	Re-Employment Activities		11/05/2025			Denied 10/19/2025 - 10/25/2025	File Appeal View Determination
Issue 4094545	Personal or Other Reasons		02/11/2026			Denied 09/14/2025 - 07/25/2026	File Appeal View Determination

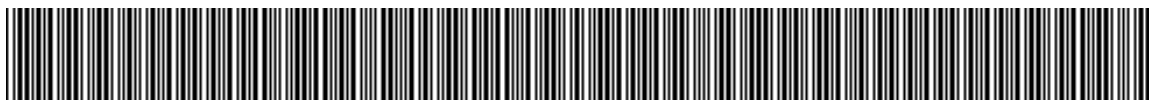
Overpayment Determinations

Case Number	Discovery Date	Established Date	Overpaid Amount	Waiver Status	Action
1	10/30/2025	10/30/2025	\$669.00	Not Applicable	File Appeal View Determination
2	11/05/2025	11/05/2025	\$6.00	Not Applicable	File Appeal View Determination
3	02/11/2026	02/11/2026	\$5,207.00	Not Applicable	File Appeal View Determination

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871 IAC 26.3 states, in relevant part:

26.3(1) An unemployment benefits contested case must be filed by a party within ten calendar days from the date



noted on the initial decision. The appeal must be in writing and delivered by mail, by email, online, or in person to the department of inspections appeals, and licensing's unemployment insurance appeals bureau...An online appeal is filed by completing and submitting an online appeal form available in the IowaWorks digital portal.

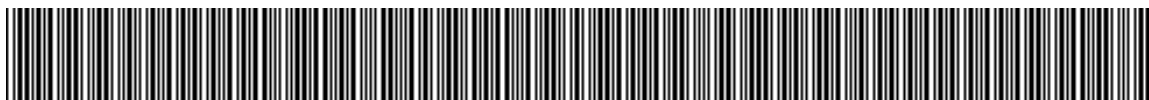
26.3(2) The appeal should state the following:

1. The name, address and social security number of the claimant;
2. A reference to the decision from which the appeal is taken; and
3. The grounds upon which the appeal is based.

The regulations don't require the parties to use a computer to file the appeal, as appeals are also accepted via fax, email, mail, etc. More importantly, the regulations don't even state that the person must appeal the "correct" decision in the system, merely complete and submit an online appeal using the form available in the digital portal. The only requirement in the regulation is that the appeal "reference" the decision the parties are appealing.

In the above case, it is clear from reading the appeal the Claimant was not solely appealing the overpayment. Even if she was, the only way to overturn an overpayment is a successful appeal of the underlying decision. If a person appeals an overpayment, they are by necessity stating they want to appeal the disqualification.

Based on the Board's reading of the appeal to lower authority, we are remanding that issue back to UIAB for a hearing with the appeal from the current case being used to set up the other issue.



Rendered and signed 6/15/2026, in Des Moines, Iowa.

IOWA EMPLOYMENT APPEAL BOARD MEMBERS

David M. Erickson

Ashley Koopmans

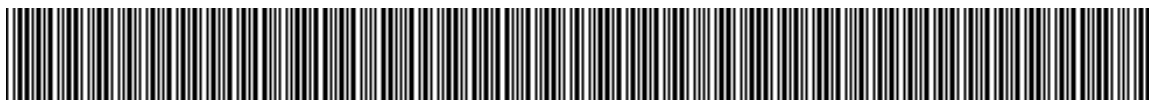
David ERICKSON
Board Member

Ashley KOOPMANS
Board Member



James STROHMAN
Board Member

Please see next page for important information about further appeal rights.



NOTICE

This decision is final unless you file (1) a Request for Rehearing with the Employment Appeal Board within **20 days** of the date of the Board's decision, OR (2) a Petition for Judicial Review with the District Court within **30 days** of the date of the Board's decision. If your Request for Rehearing is denied, you may file a Petition for Judicial Review with the District Court within **30 days** of the denial.

REQUEST FOR REHEARING. Filing a Request for Rehearing through IowaWORKS.gov is the fastest option. Login to your account and click on "Rehear Request" at the bottom of the decision you disagree with.

You may also send a written Request for Rehearing to the Employment Appeal Board at the contact information below:

**Iowa Employment Appeal Board
6200 Park Ave Suite 100
Des Moines, Iowa 50321
Fax: (515)281-7191
Email: eab.appeals@eab.iowa.gov**

Your Request for Rehearing should clearly state your reason for requesting rehearing.

DISTRICT COURT. You may also file a Petition for Judicial Review with the District Court within **30 days** of the Board's decision. Information on how to file a petition is in Iowa Code §17A.19, which is online at <https://www.legis.iowa.gov/docs/code/17A.19.pdf>. You may also contact the District Court Clerk of Court <https://www.iowacourts.gov/iowa-courts/court-directory/>.



Babel Notice – Claim and Appeal Information

Aviso: Aviso: Documento De Beneficios Del Seguro De Desempleo
Y Información De Apelación

IMPORTANT!

This document contains important information about your unemployment compensation rights, responsibilities and/or benefits. It is critical that you understand the information in this document. **DEADLINE FOR APPEAL:** If you disagree with this determination or decision, you must file an appeal before the deadline noted in this document. **IMMEDIATELY:** If needed, call 866-239-0843 for assistance in the translation and understanding of the information in the document(s) you have received.

¡IMPORTANTE!

Este documento contiene información importante sobre sus derechos, obligaciones y/o beneficios de compensación por desempleo. Es muy importante que usted entienda la información contenida en este documento. **PLAZO LÍMITE PARA APELAR:** Si usted está en desacuerdo con esta determinación o decisión, debe presentar una apelación antes del plazo límite indicado en este documento. **INMEDIATAMENTE:** Si necesita asistencia para traducir y entender la información contenida en el documento(s) que recibió, llame al 866-239-0843.

重要提示！

这份文件包含有关失业补偿的权利、责任和/或利益的重要信息。您需要理解本文件中的信息，这一点至关重要。

上诉截止日期：如果您不同意本裁定或决定，您必须在本文件所载截止日期前提出上诉。**立即：**如果需要，请拨打866-239-0843，可获得帮助，以利您翻译和理解所收到的文件中的信息。

IMPORTANT!

Ce document contient des informations importantes sur vos droits d'allocation de chômage, vos responsabilités et/ou vos bénéfices. Il est indispensable que vous compreniez le contenu de ce document. **DATE LIMITE POUR FAIRE APPEL:** Si vous n'êtes pas d'accord avec cette détermination ou décision, vous devrez faire un appel avant la date limite signalée dans ce document. **IMMÉDIATEMENT:** Si nécessaire, téléphonez au 866-239-0843 pour avoir de l'assistance sur la traduction et/ou la compréhension de ce document.

WICHTIG!

Diese Dokument enthält wichtige Hinweise zu ihren Rechten, Pflichten bzw. Leistungen im Rahmen der Arbeitslosenunterstützung. Es ist entscheidend, dass Sie die Informationen in diesem Dokument verstehen. **FRIST ZUR BESCHWERDEEINLEGUNG:** Wenn Sie mit der Feststellung oder Entscheidung nicht einverstanden sind, müssen Sie vor Ablauf der in diesem Dokument aufgeführten Frist eine Beschwerde einlegen. **SOFORT:** Sofern erforderlich, rufen Sie die Telefonnummer 866-239-0843 an und erkundigen sich nach Hilfsdiensten bei der Übersetzung und zum Verständnis der Informationen in dem (den) von Ihnen erhaltenen Dokument(en).

IMPORTANTE!

Ang mga dokumentong ito ay naglalaman ng mahalagang impormasyon tungkol sa iyong mga karapatan na makatanggap ng kabayaran, mga responsibilidad at /o benepisyo dahil sa pagkawala ng trabaho. Napakahalagang maunawaan mo ang mga impormasyong nilalaman sa dokumentong ito. **HULING ARAW PARA UMAPILA:** Kung hindi ka sumasang-ayon sa pagpapasiya o desisyon, dapat kang maghabol o magharap ng apila bago dumating ang huling araw na nabanggit sa dokumentong ito. **KAAGAD:** Kung kinakailangan ang tulong, tumawag sa 866-239-0843 para sa pagsasalin ng wika at pag-unawa ng impormasyon sa mga dokumentong natanggap mo.

IMPORTANTE:

Questo documento contiene informazioni importanti sui Suoi diritti di indennizzo di disoccupazione, sulle sue responsabilità e i suoi benefit. E' cruciale che Lei comprenda appieno le informazioni contenute in questo documento. **SCADENZA PER IL RICORSO:** Se non si trova in accordo con questa determinazione o decisione, dovrà presentare ricorso prima della scadenza riportata nel presente documento. **INMEDIATAMENTE:** In caso di necessità chiami il 866-239-0843 per assistenza alla traduzione e comprensione delle informazioni contenute nei documenti ricevuti.

QUAN TRỌNG:

Tài liệu này chứa đựng tin tức quan trọng về quyền hạn, trách nhiệm và/hoặc những lợi lộc được đền bù trong khi thất nghiệp. Đó là điều tối cần thiết mà quý vị phải hiểu rõ những tin tức trong tài liệu này. **HẠN CHÓT KHIẾU NẠI:** Nếu quý vị không đồng ý với quyết định này, quý vị phải nộp đơn khiếu nại trước hạn chót ghi rõ trong tài liệu này. **MỘT CÁCH NHANH CHÓNG:** Nếu cần xin hãy gọi số 866-239-0843 để được giúp đỡ trong việc phiên dịch và hiểu rõ những tin tức trong tài liệu quý vị đã nhận.

중요!

이 문서는 실업보상 권리, 책임 및/또는 혜택에 대한 중요한 정보가 포함되어 있습니다. 이 문서에 있는 정보를 이해 하는 것은 매우 중요합니다. **항소 마감:** 이 결정에 이견이 있으시면 항소인은 문서에 언급된 마감일 전에 항소를 제기하셔야 합니다. **즉시:** 받으신 문서의 번역 및 이해를 위해서 도움이 필요하시면 866-239-0843 로연락을 하시기 바랍니다.

WAŻNE!

Dokumenty mogą zawierać ważne informacje o Pana(-i) prawach do zasiłków dla bezrobotnych, obowiązków i/lub świadczeń. Zrozumienie informacji zawartych w niniejszym dokumencie jest bardzo ważne. **DATA WYGAŚNIĘCIA TERMINU SKŁADANIA ODWOŁAŃ:** Jeśli nie zgadza się Pan(-i) z decyzją zawartą w niniejszym dokumencie, odwołanie należy złożyć przed datą wygaśnięcia terminu wyszczególnionego w treści niniejszego dokumentu. **NATYCHMIAST:** W razie potrzeby, należy dzwonić pod 866-239-0843 w celu uzyskania pomocy w tłumaczeniu i zrozumieniu informacji w dokumentach, które Pan(i) otrzymał(-a).

ВАЖНО!

Данный документ содержит важную информацию о Ваших правах на пособие по безработице, ответственностях и /или выгодах. Крайне важно, чтобы Вы поняли всю информацию, представленную в данном документе(ах). **КРАЙНИЙ СРОК ДЛЯ ОБЖАЛОВАНИЯ:** Если Вы не согласны с представленным постановлением или решением, Вы должны подать заявление на обжалование данного документа до крайнего срока, указанного в нём. **НЕМЕДЛЕННО:** При необходимости звоните 866-239-0843 для получения помощи в переводе и понимании информации данного документа(ов).

VAŽNO!

Ovaj dokument sadrži važne informacije o vašim pravima za naknadu nezaposlenosti, odgovornostima i/ili beneficijama. Veoma je važno da shvatite informacije u ovom dokumentu. **ROK ZA ŽALBU:** Ako se ne slažete s ovim određivanjem ili odlukom, morate uložiti žalbu prije roka navedenog u ovom dokumentu. **ODMAH:** Ako je potrebno, nazovite 866-239-0843 za pomoć u prijevodu i razumijevanju informacija u dokumentu(ima) kojeg ste primili.

ໝາງເຫລອ ສາ

ູ່ສໍາຄັນ! ເອກະສານນີ້ປະກອບດ້ວຍຂໍ້ມູນທີ່ສໍາຄັນກ່ຽວກັບສິດທິການຊົດເຊີຍການຫວ່າງງານ, ຄວາມຮັບຜິດຊອບ ແລະ/ຫຼືຜົນປະໂຫຍດຂອງທ່ານ. ມັນເປັນສິ່ງ ສໍາ ຄັນທີ່ທ່ານຕ້ອງເຂົ້າໃຈຂໍ້ມູນໃນເອກະສານນີ້. ກໍານົດເວລາການອຸທອນ: ຖ້າທ່ານບໍ່ເຫັນດີກັບການກໍານົດ ຫຼືການຕັດສິນໃຈນີ້, ທ່ານຕ້ອງອໍ້ນອຸທອນກ່ອນກໍານົດເວລາທີ່ລະບຸໄວ້ໃນເອກະສານນີ້. ທັນທີ: ຖ້າຕ້ອງການ, ໃຫ້ໃບຫາ 866-239-0843 ສໍາລັບການຊ່ວຍເຫຼືອໃນການແປ ແລະຄວາມເຂົ້າໃຈຂອງຂໍ້ມູນໃນເອກະສານທີ່ທ່ານໄດ້ຮັບ.

هام!

تحتوي هذه الوثيقة/ الوثائق على معلومات مهمة حول حقوق تعويض البطالة ومزاياها، لذا من الأهمية فهم المعلومات الواردة فيها. وإن كنت غير موافق على ما تحمله هذه الوثيقة/ الوثائق فيجب عليك تقديم استئناف قبل الموعد النهائي المشار إليه في هذه الوثيقة والاتصال فوراً على الرقم التالي: 866-239-0843 (٨٦٦٢٣٩٠٨٤٣) وإذا كنت بحاجة إلى مساعده في ترجمة وفهم المعلومات الواردة في هذه الوثيقة فلا تردد بالسؤال.