

*This opinion is nonprecedential except as provided by
Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A26-0169**

Thomas J. Styczinski,
Relator,

vs.

Wells Fargo Bank, N. A.,
Respondent,

Department of Employment and Economic Development,
Respondent.

**Filed October 5, 2026
Affirmed
Bond, Judge**

Department of Employment and Economic Development
File No. 52268986-2

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Wells Fargo Bank, N.A., Minneapolis, Minnesota (respondent employer)

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department)

Considered and decided by Worke, Presiding Judge; Frisch, Chief Judge; and Bond,
Judge.

NONPRECEDENTIAL OPINION

BOND, Judge

Relator challenges the decision of an unemployment-law judge (ULJ) that he was ineligible to establish a second unemployment-benefit account or withdraw his first benefit account after the initial benefit year ended. We affirm.

FACTS

Relator Thomas J. Styczinski worked as a vice president of cybersecurity for Wells Fargo Bank, N.A., from 2002 until August 23, 2024, when he was laid off. Styczinski applied for unemployment benefits with respondent Minnesota Department of Employment and Economic Development (DEED) and established an unemployment-benefit account that was effective September 1, 2024 (the 2024 benefit account). Because Styczinski received 46 weeks of severance pay from Wells Fargo, he was ineligible to receive unemployment benefits until July 2025.

On July 14, 2025, Styczinski submitted a request for unemployment benefits through DEED's website. In doing so, he was prompted to either reactivate the 2024 benefit account, from which he had not yet received any benefit payments, or withdraw that account and establish a second benefit account. Styczinski opted to reactivate the 2024 benefit account. Styczinski received unemployment benefit payments until the 2024 benefit account expired on August 30, 2025.

The next day, Styczinski applied for a second benefit account (the 2025 benefit account). On September 2, DEED issued a determination of benefit account effective August 31, 2025. Styczinski received benefit payments on the 2025 benefit account for

four weeks. On October 9, DEED issued an amended determination of benefit account, informing Styczinski that he did not qualify for the 2025 benefit account because he had not earned at least \$3,700 in wages since opening the 2024 benefit account.

Styczinski appealed DEED's amended determination, and a ULJ held an evidentiary hearing in October 2025. At the hearing, Styczinski testified that he made a mistake when he reactivated the 2024 benefit account instead of establishing a new account and that he believed his severance payments should qualify as wages for purposes of determining his eligibility for the 2025 benefit account. He asked that DEED either reinstate the 2025 benefit account or allow him to pay back the benefits he received under the 2024 benefit account so that he could withdraw that account and proceed under the 2025 benefit account.

The ULJ affirmed DEED's amended determination of benefit account. The ULJ found that Styczinski established the 2024 benefit account effective September 1, 2024; he received benefit payments during the benefit year that ended on August 30, 2025; and he had not earned sufficient wages by working in covered employment since the initiation of the 2024 benefit account. Accordingly, the ULJ determined that the amended determination of benefits was accurate because Styczinski did not meet the statutory requirements for establishing the 2025 benefit account. The ULJ rejected Styczinski's request to withdraw the 2024 benefit account, reasoning that the applicable unemployment-benefit statutes do not authorize the reimbursement of benefits in order to withdraw a benefit account.

Styczinski requested reconsideration, arguing, in part, that DEED exceeded its statutory authority in amending its determination. The ULJ affirmed the decision on reconsideration.

This certiorari appeal follows.

DECISION

Styczinski challenges the ULJ's decision that he was ineligible to establish the 2025 benefit account and unable to withdraw the 2024 benefit account. An appellate court may reverse or modify a ULJ's decision "if the substantial rights of the petitioner may have been prejudiced" because, as relevant here, the ULJ's decision exceeded its statutory authority, was affected by an error of law, or was unsupported by substantial evidence. Minn. Stat. § 268.105, subd. 7(d)(2), (4), (5) (2024). We view the ULJ's factual findings in the light most favorable to the decision and will not disturb those findings unless they are unsupported by substantial evidence. *Fay v. Dep't of Emp. & Econ. Dev.*, 860 N.W.2d 385, 387 (Minn. App. 2015). Whether an employee is eligible to receive unemployment benefits is a question of law, which this court reviews de novo. *Hayes v. K-Mart Corp.*, 665 N.W.2d 550, 552 (Minn. App. 2003), *rev. denied* (Minn. Sept. 24, 2003).

Upon an application for unemployment benefits, DEED makes a "determination of benefit account," which establishes the applicant's unemployment-benefit account and the amount of benefits available to the applicant. Minn. Stat. § 268.07, subd. 1(b) (2024). A "benefit year" is the period of 52 calendar weeks beginning the date a benefit account is established. Minn. Stat. § 268.035, subd. 6 (2024). Once a benefit account is established, it may be withdrawn only if "(1) the applicant has not been paid any unemployment

benefits on that benefit account; and (2) a new application for unemployment benefits is filed and a new benefit account is established at the time of the withdrawal.” Minn. Stat. § 268.07, subd. 3b(c) (2024). To establish a second benefit account following the expiration of a benefit year on a prior benefit account, the applicant must have “performed actual work in subsequent covered employment” and been paid a statutory minimum amount of “wages in one or more completed calendar quarters” after the effective date of the prior benefit account.¹ *Id.*, subd. 2(b) (2024). An applicant “may not establish a second benefit account as a result of one loss of employment.” *Id.* Eligibility for unemployment benefits requires compliance with the law; there is no equitable or common-law entitlement to benefits. Minn. Stat. § 268.069, subd. 3 (2024).

I. Styczinski has not established that his substantial rights may have been prejudiced because DEED allegedly exceeded its statutory authority.

Styczinski contends that DEED exceeded its statutory authority when it issued the amended determination of benefit account, arguing that the legislature limited DEED’s ability to amend a determination of benefit account to circumstances not present in this case. *See* Minn. Stat. § 268.07, subd. 1(d) (2024) (providing that DEED “may, at any time within 24 months from the establishment of a benefit account, reconsider any determination of benefit account and make an amended determination if the commissioner finds that the wage credits listed in the determination were incorrect”). DEED disagrees, maintaining

¹ Minn. Stat. § 268.07, subd. 2(a) (2024), provides that “an applicant must have wage credits of at least 5.3 percent of the state’s average annual wage rounded down to the next lower \$100,” which amounts to \$3,700.

that it may amend any determination of benefit account that has not yet become final because it possesses the “inherent authority to correct erroneous decisions.”

We are not convinced by DEED’s broad claim that it has inherent authority to correct any non-final erroneous decision. DEED relies on two sources of authority for support, both of which appear to be inapposite. First, DEED points to Minn. Stat. § 268.101, subd. 4 (2024), but that statute governs determinations of eligibility, not determinations of benefit accounts. *See* Minn. Stat. § 268.101, subd. 4 (stating that “unless an appeal has been filed . . . [DEED] may reconsider a determination of eligibility or determination of ineligibility that has not become final and issue an amended determination”).

Second, DEED cites caselaw stating that agencies “have the inherent power to correct erroneous decisions when the statute does not prohibit such correction.” *Rowe v. Dep’t of Emp. & Econ. Dev.*, 704 N.W.2d 191, 195 (Minn. App. 2005). In *Rowe*, this court considered whether a ULJ had jurisdiction to correct an error in its decision after that decision became final upon the expiration of the appeal period. *Id.* at 194. We recognized “the ULJ’s implied power to correct an erroneous decision arguably exists” during a relator’s 30-day period to appeal the ULJ’s decision. *Id.* at 195. Because the relator’s appeal period had lapsed and the ULJ’s decision had become final, we concluded that the ULJ “lacked express statutory authority or the inherent power to amend its original decision.” *Id.* at 196-97. Because *Rowe* addresses a ULJ’s ability to sua sponte correct its own decision before the decision is final, it is not helpful to the question of whether DEED

has inherent authority to issue an amended determination of benefit account for reasons other than incorrectly listed wage credits. *See* Minn. Stat. § 268.07, subd. 1(d).

Nonetheless, even if DEED exceeded its statutory authority, we may only reverse the ULJ's decision if Styczinski establishes that his substantial rights may have been prejudiced. *See* Minn. Stat. § 268.105, subd. 7(d)(2). Styczinski has not met that burden.

As we explained, once a benefit account is established, a second account may be established in only one of two ways. First, the existing account may be withdrawn and a new account established, provided that the applicant “has not been paid any unemployment benefits on th[e] benefit account” to be withdrawn. Minn. Stat. § 268.07, subd. 3b(c). Second, the applicant may establish a second benefit account after the first benefit account expires at the end of the benefit year so long as the applicant has “performed actual work in subsequent covered employment and ha[s] been paid [a qualifying level of] wages in one or more completed calendar quarters that started after the effective date of the prior benefit account.” *Id.*, subd. 2(b).

It is undisputed that Styczinski established the 2024 benefit account in September 2024 and received benefits under that account beginning in July 2025 until the benefit year expired at the end of August 2025. Because Styczinski received benefits under the 2024 benefit account, he is not permitted to withdraw that account. *Id.*, subd. 3b(c). It is also undisputed that Styczinski experienced only one loss of employment and he did not perform any work in covered employment after the effective date of the 2024 benefit account. *Id.*, subd. 2(b). Styczinski is therefore disqualified by statute from establishing the 2025 benefit account. Thus, even if DEED exceeded its statutory authority by issuing

the amended determination of benefit account, Styczinski was not entitled to benefits under the statute. As such, Styczinski cannot show that his substantial rights may have been prejudiced by the ULJ's decision that he is ineligible to establish the 2025 benefit account.

II. Styczinski's additional arguments do not warrant reversal of the ULJ's decision.

Styczinski asserts several additional bases for reversal. First, Styczinski argues that the amended determination of benefit account is "factually incorrect" because it states that he had not earned more than \$3,700 in wages from covered employment since establishing the 2024 benefit account on September 1, 2024. Styczinski maintains that the amended determination reflects wage credits in excess of \$133,000, the amount of the severance pay he received from Wells Fargo. We construe this argument as a challenge to the substantial evidence supporting the ULJ's factual findings. *See* Minn. Stat. § 268.105, subd. 7(d)(5).

The ULJ found that Styczinski was ineligible to establish the 2025 benefit account because he had not earned more than \$3,700 in wages by working in covered employment since September 1, 2024. This finding is supported by substantial evidence. In order to establish a second benefit account following the expiration of a benefit year on a prior benefit account, an applicant must have "performed actual work in subsequent covered employment" and been "paid wages in one or more completed calendar quarters" after the effective date of the prior benefit account. Minn. Stat. § 268.07, subd. 2(b). At the evidentiary hearing, Styczinski testified that he had not worked in covered employment since being laid off, and consequently, had not earned any wages through "actual work" since establishing the 2024 benefit account. Therefore, the ULJ's finding that Styczinski

had not earned sufficient wages to establish the 2025 benefit account is supported by substantial evidence in the record. *Fay*, 860 N.W.2d at 387.

Second, Styczinski argues that the ULJ's decision violated his constitutional right to procedural due process because he did not understand that his severance payments would not be considered "actual work" for the purposes of establishing the 2025 benefit account. Minn. Stat. § 268.07, subd. 2(b). Due process requires adequate notice and an opportunity to be heard. *Schulte v. Transp. Unlimited, Inc.*, 354 N.W.2d 830, 832 (Minn. 1984). "To determine whether an individual's right to procedural due process has been violated, we first determine whether a protected liberty or property interest is implicated and then determine what process is due." *Sweet v. Comm'r of Hum. Servs.*, 702 N.W.2d 314, 319 (Minn. App. 2005), *rev. denied* (Minn. Nov. 15, 2005). Whether the government has violated an individual's procedural-due-process rights is a question of law, which we consider de novo. *Rew v. Bergstrom*, 845 N.W.2d 764, 785 (Minn. 2014).

"Unemployment benefits are an entitlement protected by the constitutional right to procedural due process." *Godbout v. Dep't of Emp't & Econ. Dev.*, 827 N.W.2d 799, 802 (Minn. App. 2013). Notice is generally constitutionally adequate if it was "reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections." *McShane v. Comm'r of Pub. Safety*, 377 N.W.2d 479, 482-83 (Minn. App. 1985) (quotation omitted), *rev. denied* (Minn. Jan. 23, 1986). Here, Styczinski received notice of DEED's amended determination that he was ineligible to establish the 2025 benefit account because he had not earned sufficient wages since establishing the 2024 benefit account. He appeared at the

evidentiary hearing to contest this determination and testified on his behalf. On this record, we conclude that Styczinski received constitutionally adequate procedural due process.

Third, Styczinski argues that the ULJ should have altered the benefit-year period on the 2024 benefit account. As discussed, when an applicant applies for unemployment benefits, DEED issues a determination of benefit account, which includes determining a base period and benefit year. Minn. Stat. § 268.07, subd. 1(b). A “benefit year” is the period of 52 calendar weeks beginning the date the account is effective. Minn. Stat. § 268.035, subd. 6. A benefit account “is effective the date the application for unemployment benefits was effective.” Minn. Stat. § 268.07, subd. 3b(b) (2024).

Notwithstanding this unambiguous statutory language, Styczinski contends that, because his severance payments delayed his eligibility for benefits, a new set of 52 calendar weeks should have begun when he reactivated his 2024 benefit account in July 2025. But it is well-established that courts “cannot add language to a statute; rather, [they] must apply the plain language of the statute as written.” *Firefighters Union Loc. 4725 v. City of Brainerd*, 934 N.W.2d 101, 109 (Minn. 2019) (quotation omitted); *see also State v. Wenthe*, 865 N.W.2d 293, 304 (Minn. 2015) (stating that “courts cannot supply that which the legislature purposely omits or inadvertently overlooks” (quotation omitted)). Styczinski does not provide any legal authority, and we are aware of none, allowing a ULJ to alter the effective start date of a benefit account or extend a benefit year in these circumstances. *See Peoples Nat. Gas Co. v. Minn. Pub. Utils. Comm’n*, 369 N.W.2d 530, 534 (Minn. 1985) (stating that neither agencies nor courts may enlarge an agency’s powers beyond that contemplated by the legislature). Styczinski’s argument is therefore unavailing.

Lastly, Styczinski argues the ULJ legally erred by rejecting his proposed remedy to repay the benefits he received under the 2024 benefit account, urging us to interpret the law in favor of payment of benefits. The ULJ determined that repayment of unemployment benefits to allow withdrawal of a benefit account is not an available remedy under the statute. *See* Minn. Stat. § 268.07, subd. 3b(c) (providing that an existing benefit account may be withdrawn in order to establish a new account so long as the applicant “has not been paid any unemployment benefits on th[e] benefit account” to be withdrawn). We discern no error of law in the ULJ’s determination.

We are sympathetic to Styczinski’s position, but eligibility for unemployment benefits is governed by statute. *See* Minn. Stat. § 268.069, subd. 3 (“There is no equitable or common law denial or allowance of unemployment benefits.”); *see also Irvine v. St. John’s Lutheran Church of Mound*, 779 N.W.2d 101, 105 (Minn. App. 2010) (rejecting relator’s equitable argument challenging a ULJ’s determination that relator could not establish an unemployment-benefit account and explaining that “no liberal construction of the statute in favor of its remedial purpose or narrow construction of ineligibility requirements can allow us to reach the result relator seeks”). We therefore must affirm the decision of the ULJ.

Affirmed.