

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**NATHAN M MASSELL**  
Claimant

**APPEAL 19A-UI-04338-SC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 04/07/19**  
**Claimant: Appellant (1)**

Iowa Code § 96.3(7) – Recovery of Benefit Overpayment

**STATEMENT OF THE CASE:**

On May 25, 2019, Nathan M. Massell (claimant) appealed an unemployment insurance decision dated May 17, 2019, reference 03, that concluded he was overpaid \$502.00 in unemployment insurance benefits. After due notice was issued, a telephone hearing was held on June 21, 2019 and consolidated with the hearing for appeal 19A-UI-04337-SC-T. The claimant participated personally. Area Ambulance Authority (employer) participated through Director of Operations Jackie Gillen and Human Resources Associate VP Sheila Schmidt. The employer's Exhibits 1 through 7 were admitted without objection.

**ISSUE:**

Has the claimant been overpaid benefits?

**FINDINGS OF FACT:**

The claimant filed a new claim for unemployment insurance benefits with an effective date of April 7, 2019. The claimant filed for and received a total of \$502.00 in unemployment insurance for the week ending May 4, 2019. The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been affirmed in a decision of the administrative law judge in appeal 19A-UI-04337-SC-T.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant was overpaid unemployment insurance benefits which must be repaid.

Iowa Code § 96.3(7) provides, in pertinent part:

7. Recovery of overpayment of benefits.

a. If an individual receives benefits for which the individual is subsequently determined to be ineligible, even though the individual acts in good faith and is

not otherwise at fault, the benefits shall be recovered. The department in its discretion may recover the overpayment of benefits either by having a sum equal to the overpayment deducted from any future benefits payable to the individual or by having the individual pay to the department a sum equal to the overpayment.

Since the decision disqualifying the claimant has been affirmed, the claimant was overpaid \$502.00 in unemployment insurance benefits.

**DECISION:**

The unemployment insurance decision dated May 17, 2019, reference 03, is affirmed. The claimant was overpaid \$502.00 in unemployment insurance benefits, which must be repaid.

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Stephanie R. Callahan  
Administrative Law Judge

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Decision Dated and Mailed

src/rvs