

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**DANIEL L LYONS**  
Claimant

**APPEAL 21A-UI-11927-DB-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 03/22/20**  
**Claimant: Appellant (2)**

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Iowa Code § 96.3(7) – Overpayment of Benefits

**STATEMENT OF THE CASE:**

The claimant/appellant filed an appeal from the April 22, 2021 (reference 02) unemployment insurance decision that found claimant was overpaid regular unemployment benefits funded by the State of Iowa in the amount of \$13,468.00 for the twenty-six-week period between March 22, 2020 and September 19, 2020. The claimant was properly notified of the hearing. A telephone hearing was held on July 19, 2021. The claimant participated personally. Chadley Carter participated as a witness for the claimant. The administrative law judge took administrative notice of the claimant's unemployment insurance benefits records. The hearing was consolidated with Appeal Nos. 21A-UI-11925-DB-T; 21A-UI-11926-DB-T; 21A-UI-11928-DB-T; 21A-UI-11929-DB-T; and 21A-UI-11930-DB-T.

**ISSUE:**

Is the claimant overpaid regular unemployment insurance benefits funded by the State of Iowa?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed an original claim for unemployment insurance benefits effective March 22, 2020. An unemployment insurance decision was issued on April 22, 2021 (reference 01) that found he was not eligible for benefits due to a previous adjudication in a prior claim year. That decision was reversed in Appeal No. 21A-UI-11926-DB-T. The overpayment issue in this case was created by a disqualification decision that has been reversed on appeal.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes as follows:

Iowa Code § 96.3(7)a provides:

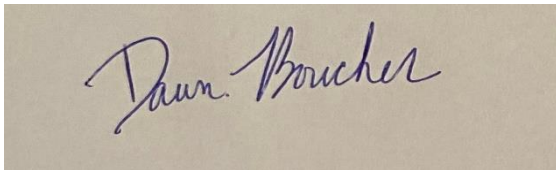
7. Recovery of overpayment of benefits.
  - a. If an individual receives benefits for which the individual is subsequently determined to be ineligible, even though the individual acts in good faith and is not otherwise at fault, the

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.

The administrative law judge concludes that the claimant has not been overpaid unemployment insurance benefits funded by the State of Iowa in the amount of \$13,468.00 for twenty-six weeks between March 22, 2020 and September 19, 2020 due to any separation from employment from Badger Daylighting Corp. pursuant to Iowa Code § 96.3(7) as the disqualification decision that created the overpayment has been reversed. See Appeal No. 21A-UI-11926-DB-T.

**DECISION:**

The April 22, 2021 (reference 02) unemployment insurance decision is reversed. The claimant has not been overpaid unemployment insurance benefits funded by the State of Iowa in the amount of \$13,468.00 for the twenty-six weeks between March 22, 2020 and September 19, 2020 pursuant to Iowa Code § 96.3(7) as the disqualification decision that created the overpayment has been reversed.

A rectangular area containing a handwritten signature in blue ink that reads "Dawn Boucher".

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Dawn Boucher  
Administrative Law Judge

July 28, 2021  
Decision Dated and Mailed

db/lj