

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

---

**DOROTHY J TECH**  
Claimant

**APPEAL 18A-UI-10260-SC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 07/29/18**  
**Claimant: Appellant (2)**

---

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

**STATEMENT OF THE CASE:**

Dorothy J. Tech (claimant) filed a timely appeal from the October 11, 2018, reference 04 unemployment insurance decision that determined she was overpaid unemployment insurance benefits for the week-ending September 22, 2018. After due notice was issued, a telephone conference hearing was held on October 29, 2018 and consolidated with the hearing for appeals 18A-UI-10258-SC-T and 18A-UI-10259-SC-T. The claimant participated. No exhibits were offered into the record.

**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 July 29, 2018. The claimant filed for and received a total of \$228.00 in unemployment insurance benefits for the week-ending September 22, 2018. The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits that week because she was not able to and available for work has been reversed in a decision of the administrative law judge in appeal 18A-UI-10258-SC-T.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant was not overpaid unemployment insurance benefits.

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 reversed, the claimant was not overpaid \$228.00 in unemployment insurance benefits.

**DECISION:**

The unemployment insurance decision dated October 11, 2018, reference 04, is reversed. The claimant was not overpaid \$228.00 in unemployment insurance benefits.

---

Stephanie R. Callahan  
Administrative Law Judge

---

Decision Dated and Mailed

src/scn