

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**DEBRA A LANCASTER**  
Claimant

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**APPEAL 22A-UI-05787-AW-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 08/02/20**  
**Claimant: Appellant (4)**

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

**STATEMENT OF THE CASE:**

Claimant filed an appeal from the February 22, 2022 (reference 02) unemployment insurance decision that found claimant was overpaid regular unemployment insurance (UI) benefits. Claimant was properly notified of the hearing. A telephone hearing was held on April 18, 2022. Claimant participated. No exhibits were admitted. Official notice was taken of the administrative record.

**ISSUE:**

Whether claimant is overpaid UI benefits.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds:

On March 22, 2021, Iowa Workforce Development (IWD) issued a decision (reference 01) that denied claimant UI benefits effective August 2, 2020. That decision has been modified in favor of claimant to deny benefits effective September 6, 2020 (see appeal number 21A-UI-05786-AW-T).

Claimant filed for and has received UI benefits in the gross amount of \$309.00 for the one-week period between September 6, 2020 and September 12, 2020.

**REASONING AND CONCLUSIONS OF LAW:**

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

Iowa Code section 96.3(7) states:

*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.

Claimant is denied UI benefits effective September 6, 2020. Claimant has received UI benefits to which claimant was not entitled. The administrative law judge concludes that claimant has been overpaid UI benefits in the amount outlined in the findings of fact above. Those benefits must be recovered in accordance with Iowa law.

**DECISION:**

The February 22, 2022 (reference 02) unemployment insurance decision is modified in favor of appellant. Claimant has been overpaid UI benefits in the amount of \$309.00, which must be repaid.



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April 21, 2022  
Decision Dated and Mailed

acw/ACW