

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

**MARGO G MCGEE**  
Claimant

**APPEAL NO. 09A-UI-02568-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 11/02/08 R: 01  
Claimant: Appellant (1)**

Section 96.3-7 - Overpayment of Benefits

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated February 11, 2009, reference 03, that concluded she was overpaid \$1,104.00 in benefits from November 2 to 22, 2008. A telephone hearing was held on February 25, 2009. The claimant participated in the hearing with a witness, Isaiah McGee.

**ISSUE:**

Was the claimant overpaid unemployment insurance benefits?

**FINDINGS OF FACT:**

The claimant filed a new claim for unemployment insurance benefits with an effective date of November 2, 2008. The claimant filed for and received a total of \$1,104.00 in unemployment insurance benefits for the weeks between November 2 and November 22, 2008.

The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits for the weeks between November 2 and November 22, 2008, has been affirmed in a decision of the administrative law judge in appeal 09A-UI-02567-SWT.

**REASONING AND CONCLUSIONS OF LAW:**

The issue in this case is whether the claimant was overpaid unemployment insurance benefits.

The unemployment insurance law provides that benefits must be recovered from a claimant who receives benefits and is later determined to be ineligible for benefits, even though the claimant acted in good faith and was not otherwise at fault. Iowa Code section 96.3-7.

Since the decision disqualifying the claimant has been affirmed, the claimant was overpaid \$1,104.00 in unemployment insurance benefits.

**DECISION:**

The unemployment insurance decision dated February 11, 2009, reference 03, is affirmed. The claimant was overpaid \$1,104.00 in unemployment insurance benefits, which must be repaid.

---

Steven A. Wise  
Administrative Law Judge

---

Decision Dated and Mailed

saw/css