

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RAYMOND L SCHERER
Claimant

APPEAL NO. 13A-UI-09176-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 02/17/13
Claimant: Appellant (1)**

Iowa Code § 96.3(7) – Overpayment
20 CFR 616.8(E) – Interstate Agreements for Overpayments

STATEMENT OF THE CASE:

The claimant filed an appeal from the August 5, 2013, (reference 01) unemployment insurance decision that found the claimant overpaid unemployment benefits in the state of Illinois and the state of Iowa is required to honor that overpayment by sending the claimant's unemployment benefits to the state of Illinois. After due notice was issued a hearing was held on September 24, 2013. Claimant participated.

ISSUE:

Is the state of Iowa obligated to send the claimant's unemployment insurance benefits to Illinois?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Iowa and Illinois have an agreement that they will help each other recover unemployment insurance benefits overpaid to claimants in each state. The claimant filed a claim for Iowa benefits with an effective date of February 17, 2013. The claimant has an overpayment in the amount of \$5,927.00 from the state of Illinois.

REASONING AND CONCLUSIONS OF LAW

The claimant is overpaid unemployment benefits in Illinois. The state of Illinois has requested the recovery of those benefits from Iowa. Under 20 CFR 616.8(E) the request was properly made for an interstate recovery of benefits and the claimant's benefits shall be withheld to offset the overpayment.

DECISION:

The representative's decision dated August 5, 2013, reference 01, is affirmed. The claimant's unemployment benefits may be withheld in order to offset the overpayment of unemployment benefit in Illinois.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/css