

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

HANNAH S AMICK
Claimant

APPEAL 21A-UI-03289-S2-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 04/26/20
Claimant: Appellant (1)

Iowa Code § 96.3-7 - Recovery of Overpayment of Benefits

STATEMENT OF THE CASE:

The claimant appealed a representative's decision dated January 12, 2021, (reference 04) that concluded the claimant was overpaid unemployment insurance benefits as a result of a disqualification decision. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on March 22, 2021. Claimant Hannah S. Amick participated personally and was represented by attorney Anne J. Quail.

ISSUE:

The issue is whether the claimant is overpaid unemployment insurance benefits.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony of the witness and having considered all of the evidence in the record, finds that: Claimant filed a claim for unemployment insurance benefits with an effective date of April 26, 2020. Claimant filed for and received a total of \$837.00 for the nine-week period between May 10, 2020 and July 4, 2020. The unemployment insurance decision that disqualified claimant from receiving unemployment insurance benefits was affirmed on September 10, 2020, in a decision of an administrative law judge in appeal 20A-UI-08509-ED-T. Claimant did not appeal the decision to the Employment Appeal Board within fifteen days and the decision constitutes final agency action.

REASONING AND CONCLUSIONS OF LAW:

For the following reasons the administrative law judge concludes the claimant was overpaid unemployment insurance benefits.

Iowa Code section 96.3(7) provides, in pertinent part:

7. Recovery of overpayment of benefits.

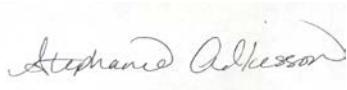
a. If an individual receives benefits for which the individual is subsequently determined to be ineligible, even though the individual acts in good faith and is

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.

Because the ALJ's decision disqualifying claimant has become final agency action, the claimant has been overpaid regular unemployment insurance benefits in the amount \$837.00.

DECISION:

The decision of the representative dated January 12, 2021, (reference 04) is affirmed. The claimant was overpaid unemployment insurance benefits in the amount of \$837.00.



Stephanie Adkisson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
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Des Moines, Iowa 50319-0209
Fax (515)478-3528

March 24, 2021
Decision Dated and Mailed

sa/scn