

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

HEATHER L JORDAN
Claimant

APPEAL 21A-UI-09026-DB-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 03/22/20
Claimant: Appellant (1R)**

Iowa Code § 96.3(7) – Overpayment of Benefits

STATEMENT OF THE CASE:

The claimant/appellant filed an appeal from the March 25, 2021 (reference 03) unemployment insurance decision that found claimant was overpaid regular unemployment benefits funded by the State of Iowa in the amount of \$3,038.00 for eighteen weeks between March 22, 2020 and July 25, 2020. The claimant was properly notified of the hearing. A telephone hearing was held on June 15, 2021. The claimant participated personally. The administrative law judge took administrative notice of the claimant's unemployment insurance benefits records. The hearing was consolidated with Appeal No. 21A-UI-009025-DB-T.

ISSUE:

Is the claimant overpaid regular unemployment insurance benefits funded by the State of Iowa?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed an original claim for unemployment insurance benefits effective March 22, 2020. She was paid unemployment insurance benefits funded by the State of Iowa in the amount of \$3,038.00 for eighteen weeks between March 22, 2020 and July 25, 2020. A decision that disqualified her from being eligible for regular unemployment insurance benefits funded by the State of Iowa was issued on August 6, 2020 (reference 01) and that decision was affirmed in Appeal No. 21A-UI-09025-DB-T.

Claimant was approved for federal Pandemic Unemployment Assistance (PUA) benefits effective March 22, 2020. The issue of whether the claimant's overpayment of State of Iowa funded benefits may be offset by her PUA benefits will be remanded to the Benefits Bureau of Iowa Workforce Development for an investigation and determination.

REASONING AND CONCLUSIONS OF LAW:

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

Iowa Code § 96.3(7)a provides:

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.

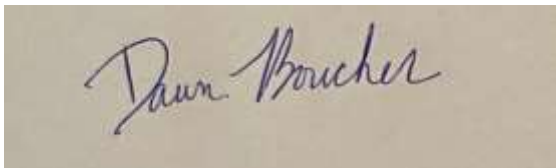
In this case, the claimant received regular unemployment insurance benefits funded by the State of Iowa from March 22, 2020 through July 25, 2020 but was not eligible for those benefits. This was because of the August 6, 2020 (reference 01) decision that disqualified her from being eligible for regular unemployment insurance benefits funded by the State of Iowa. That decision was affirmed in Appeal No. 21A-UI-09025-DB-T. As such, she has been overpaid unemployment insurance benefits funded by the State of Iowa in the amount of \$3,038.00 for eighteen weeks between March 22, 2020 and July 25, 2020.

DECISION:

The March 25, 2021 (reference 03) unemployment insurance decision is affirmed. The claimant was overpaid regular unemployment insurance benefits funded by the State of Iowa in the amount of \$3,038.00 for eighteen weeks between March 22, 2020 and July 25, 2020.

REMAND:

Whether the claimant may be eligible to offset any overpayment of regular unemployment insurance benefits with her Pandemic Unemployment Assistance (PUA) benefits is remanded to the Benefits Bureau of Iowa Workforce Development for an initial investigation and decision.

A rectangular box containing a handwritten signature in blue ink that reads "Dawn Boucher".

Dawn Boucher
Administrative Law Judge

June 28, 2021
Decision Dated and Mailed

db/ol