

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

MICHELLE L LEIBOLD
Claimant

APPEAL 22A-UI-07633-JC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 05/17/20
Claimant: Appellant (1R)

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

STATEMENT OF THE CASE:

The claimant filed an appeal from the March 25, 2022, (reference 02) unemployment insurance decision that concluded she was overpaid \$4,137.00 in regular unemployment insurance benefits. After proper notice, a telephone hearing was conducted on May 11, 2022. The hearing was held together with Appeal 22A-UI-07634-JC-TT. The claimant participated. Official notice of the administrative records was taken.

ISSUE:

Has the claimant been overpaid any unemployment insurance benefits?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant filed a new claim for unemployment insurance benefits with an effective date of May 17, 2020.

The claimant filed for and received a total of \$4,137.00 in regular, state unemployment insurance benefits for the weeks between January 10, 2021 and February 27, 2021.

The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been affirmed in a decision of the administrative law judge in appeal 21A-UI-07542-DZ-T.

The issue of claimant's January 2021 permanent separation with Rockwell Collins Inc. has not yet been addressed by the Benefits Bureau.

REASONING AND CONCLUSIONS OF LAW:

The next issue in this case is whether the claimant was overpaid regular 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.

Since the decision disqualifying the claimant has been affirmed, the claimant was overpaid \$4,137.00 in unemployment insurance benefits.

The issue of claimant's permanent separation with Rockwell Collins Inc. is remanded to the Benefits Bureau for an initial investigation.

DECISION:

The unemployment insurance decision dated March 25, 2022, (reference 02), is affirmed. The claimant was overpaid \$4,137.00 in regular, state unemployment insurance benefits

REMAND:

The issue of claimant's permanent separation with Rockwell Collins Inc. is remanded to the Benefits Bureau for an initial investigation.



Jennifer L. Beckman
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax 515-478-3528

May 23, 2022

Decision Dated and Mailed

jlb/kmj

Note to Claimant: You may find additional information about food, housing, and other resources at <https://covidrecoveryiowa.org/> or at <https://dhs.iowa.gov/node/3250>