

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

RENEE M DUCKWORTH
Claimant

APPEAL NO. 20A-UI-08187-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 01/19/20
Claimant: Appellant (4)

Iowa Code Section 96.3(7) – Overpayment of Benefits

STATEMENT OF THE CASE:

Renee Duckworth filed a timely appeal from the June 27, 2020, reference 04, decision that she was overpaid \$1,492.00 in unemployment insurance benefits, based on an administrative law judge decision alleged to have disqualified Ms. Duckworth for benefits from January 19, 2020 forward. After due notice was issued, a hearing was held on August 24, 2020. Ms. Duckworth participated in the hearing. Exhibit A was received into evidence. The administrative law judge took official notice of the following Agency administrative records: DBRO, NMRO, and the March 17, 2020 administrative law judge decision in Appeal Number 20A-UI-01724-B2T.

ISSUE:

Whether Ms. Duckworth was overpaid \$1,492.00 in unemployment insurance benefits.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Renee Duckworth established an original claim for benefits that was effective January 19, 2020. Iowa Workforce Development set her weekly benefit amount at \$500.00. Ms. Duckworth made weekly claims for the four weeks between January 19, 2020 and February 15, 2020 and received benefits for each of those four weeks. For the week that ended January 25, Ms. Duckworth received \$500.00. For the week that ended February 1, 2020, Ms. Duckworth received \$182.00. For the week that ended February 8, 2020, Ms. Duckworth received \$310.00. For the week that ended February 15, 2020, Ms. Duckworth received \$500.00. The benefits Ms. Duckworth received for the four weeks totaled \$1,492.00.

On March 17, 2020, an administrative law judge entered a decision that denied benefits effective February 3, 2020, based on the ALJ's conclusion that the claimant was not able to work and/or not available for work effective February 3, 2020. See Appeal Number 20A-UI-01724-B2T. Ms. Duckworth did not appeal the administrative law judge's decision and the ALJ's decision became a final agency decision.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3(7) provides that if a claimant receives benefits and is deemed ineligible for the benefits, Iowa Workforce Development must recover the benefits and the claimant must repay the benefits, even if the claimant was not at fault in receiving the benefits.

Because the administrative law judge's decision denied benefits, and because that decision became a final agency decision in an absence of an appeal from the decision, the decision that denied benefits is binding upon Ms. Duckworth. See Iowa Code section 96.6(4).

The June 27, 2020, reference 04, decision held that Ms. Duckworth was overpaid \$1,492.00 in unemployment insurance benefits. The June 27, 2020, reference 04, decision asserts that the administrative law judge decision disqualified Ms. Duckworth for benefits *from January 19, 2020 forward*. But that is not what the administrative law judge's decision said or held. Rather, the decision denied benefits for the period *beginning February 3, 2020*. In other words, the decision denied benefits beginning with the week of February 2-8, 2020. Based on the administrative law judge's decision, the overpayment encompasses only the \$810.00 in benefits paid for the two weeks between February 2, 2020 and February 15, 2020. Ms. Duckworth must repay the benefits that were overpaid for those two weeks.

DECISION:

The June 27, 2020, reference 04, decision is modified in favor of the claimant/appellant as follows. The claimant was overpaid \$810.00 in benefits for two weeks between February 2, 2020 and February 15, 2020. The claimant must repay the benefits that were overpaid for those two weeks.



James E. Timberland
Administrative Law Judge

August 27, 2020
Decision Dated and Mailed

jet/sam