

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**CASEY NEAL**  
Claimant

**APPEAL 22A-UI-03093-JC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 03/29/20**  
**Claimant: Appellant (1)**

Iowa Code § 96.3(7) – Recovery of Benefit Overpayment  
Iowa Code § 96.7(3) –Lost Wages Assistance (LWA)

**STATEMENT OF THE CASE:**

The claimant/appellant, Casey Neal, filed an appeal from the January 3, 2022 (reference 08) Iowa Workforce Development (“IWD”) unemployment insurance decision that established an overpayment of LWA benefits. After proper notice, a telephone hearing was held on March 2, 2022. The hearing was held together with Appeals 22A-UI-03089-JC-T, 22A-UI-03090-JC-T, and 22A-UI-03091-JC-T. The claimant participated personally. Official notice was taken of the administrative records. Department Exhibit 1 was admitted.

**ISSUE:**

Is claimant overpaid LWA benefits?

**FINDINGS OF FACT:**

Having reviewed the evidence, the administrative law judge finds: Claimant established his claim for unemployment insurance benefits with an effective date of March 29, 2020. He filed for and received regular unemployment insurance benefits for the period of March 29, 2020 and December 12, 2020. Claimant was paid the following LWA benefits:

<b>Date</b>	<b>LWA Paid</b>
8/1/2020	\$300.00
8/8/2020	\$300.00
08/15/20	\$300.00
08/22/20	\$300.00
08/29/20	\$300.00
09/05/20	\$300.00

The initial decision denying benefits has affirmed the denial of benefits for the period of May 3, 2020 through December 12, 2020. See Appeal 22A-UI-03089-JC-T. This coincides with the period claimant received LWA benefits. The initial decision established an overpayment of LWA benefits in the amount of \$1,800.00.

**REASONING AND CONCLUSIONS OF LAW:**

*For the reasons that follow, the administrative law judge affirms the initial decision.*

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 \$1,800.00 in LWA benefits. See *Iowa Code § 96.7(3) and August 8, 2020 Presidential Memorandum on Authorizing the Other Needs Assistance Program for Major Disaster Declarations Related to Coronavirus Disease 2019*, The Continued Assistance for Unemployed Workers Act of 2020).

If you disagree with this decision, you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision. Additionally, instructions for requesting a waiver of this overpayment can be found at <https://www.iowaworkforcedevelopment.gov/unemployment-insurance-overpayment-and-recovery>.

**DECISION:**

The January 3, 2022 (reference 08) initial decision is affirmed. The claimant was overpaid \$1,800.00 in LWA benefits.



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March 24, 2022  
Decision Dated and Mailed

jlb/scn