

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JOSHUA D MADDEN
Claimant

APPEAL 17A-UI-06372-SC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 03/26/17
Claimant: Appellant (2)

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

STATEMENT OF THE CASE:

Joshua D. Madden (claimant) appealed an unemployment insurance decision dated June 13, 2017, reference 09, that concluded he was overpaid \$286.00 in unemployment insurance benefits. Due notice was issued for a hearing on June 23, 2017 in appeal 17A-UI-05897-SC-T which is for the decision on the underlying issue that caused the overpayment. During the hearing, the claimant asked to appeal the overpayment decision and waived the ten-day notice. Based on the evidence, the arguments of the claimant, and the law, the following findings of fact, reasoning and conclusions of law, and decision are entered.

ISSUE:

Has the claimant been overpaid benefits?

FINDINGS OF FACT:

The claimant filed a new claim for unemployment insurance benefits with an effective date of March 26, 2017. The claimant filed for and received a total of \$286.00 in unemployment insurance benefits for the week ending May 20, 2017. The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been reversed in a decision of the administrative law judge in appeal 17A-UI-05897-SC-T.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant was overpaid unemployment insurance benefits.

Iowa Code § 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 reversed, the claimant was not overpaid \$286.00 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated June 13, 2017, reference 09, is reversed. The claimant was not overpaid \$286.00 in unemployment insurance benefits.

Stephanie R. Callahan
Administrative Law Judge

Decision Dated and Mailed

src/scn