

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JANINE A SCOTT
Claimant

APPEAL 19A-UI-00696-SC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 12/02/18
Claimant: Appellant (1)

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

STATEMENT OF THE CASE:

Janine A. Scott (claimant) filed an appeal from the January 24, 2019, reference 04, unemployment insurance decision that concluded she was overpaid \$66.00 in unemployment insurance benefits. After due notice was issued, a telephone conference hearing was held on February 8, 2019 and was consolidated with the hearings for appeals 19A-UI-00694-SC-T and 19A-UI-00695-SC-T. The claimant participated. No exhibits were offered into the record.

ISSUE:

Has the claimant been overpaid benefits?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant filed her original claim for benefits effective December 2, 2018. She began a new job on Wednesday, January 2, 2019, working full-time. She worked a total of 24 hours that week over the course of three days. The claimant filed for and received a total of \$66.00 in unemployment insurance benefits for the week ending January 5, 2019. 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 19A-UI-00694-SC-T.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant was overpaid unemployment insurance benefits, which must be repaid.

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 affirmed, the claimant was overpaid \$66.00 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated January 24, 2019, reference 04, is affirmed. The claimant was overpaid \$66.00 in unemployment insurance benefits, which must be repaid.

Stephanie R. Callahan
Administrative Law Judge

Decision Dated and Mailed

src/scn