

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

TEONDRELL BURNETT
Claimant

APPEAL NO. 22A-UI-09674-AD-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 11/21/21
Claimant: Appellant (2)**

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

STATEMENT OF THE CASE:

Teondrell Burnett (claimant/appellant) appealed the Iowa Workforce Development (“IWD”) decision dated February 21, 2022 (reference 20) that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$197.00 for the one-week period between January 9 and January 15, 2022 as a result of a prior decision denying benefits.

After due notice was issued, a telephone conference hearing was held on June 1, 2022. Claimant participated personally. Appeal Nos. 22A-UI-09668, 22A-UI-09669, 22A-UI-09670, 22A-UI-09671, 22A-UI-09672, 22A-UI-09673, 22A-UI-09674, 22A-UI-09677, 22A-UI-09678, 22A-UI-09680, and 22A-UI-09681 are related and were heard together, forming a single hearing record. Official notice was taken of the administrative record.

ISSUE:

Was the claimant overpaid regular, state unemployment insurance benefits (UI)?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

The decision finding claimant ineligible for benefits during the week in question, and which led to the overpayment decision, has now been reversed. See 22A-UI-09668.

REASONING AND CONCLUSIONS OF LAW:

For the reasons set forth below, the decision dated February 21, 2022 (reference 20) that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$197.00 for the one-week period between January 9 and January 15, 2022 as a result of a prior decision denying benefits is REVERSED.

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.
- b. (1) (a) If the department determines that an overpayment has been made, the charge for the overpayment against the employer's account shall be removed and the account shall be credited with an amount equal to the overpayment from the unemployment compensation trust fund and this credit shall include both contributory and reimbursable employers, notwithstanding section 96.8, subsection 5.

The decision finding claimant ineligible for benefits during the week in question, and which led to the overpayment decision, has now been reversed. See 22A-UI-09668. Because the decision finding claimant ineligible for benefits and which led to the overpayment decision has been reversed, claimant was not overpaid during the week in question.

DECISION:

The decision dated February 21, 2022 (reference 20) that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$197.00 for the one-week period between January 9 and January 15, 2022 as a result of a prior decision denying benefits is REVERSED. Claimant was not overpaid during the week in question.



Andrew B. Duffelmeyer
Administrative Law Judge

June 2, 2022
Decision Dated and Mailed

abd/abd