

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JOSEPH Z JAMESON
Claimant

APPEAL 19A-UI-06402-SC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 06/30/19
Claimant: Appellant (2)**

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

STATEMENT OF THE CASE:

On August 14, 2019, Joseph Z. Jameson (claimant) appealed an unemployment insurance decision dated August 12, 2019, reference 03, that concluded he was overpaid \$1,080.00 in unemployment insurance benefits. A telephone hearing was held on September 5, 2019 and consolidated with the hearing for appeal 19A-UI-06401-SC-T. The claimant participated. R&R Partners, LLC (employer) did not respond to the hearing notice and did not participate. The administrative law judge took official notice of the administrative record, specifically the claimant's wage and claim histories.

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 June 30, 2019. The claimant filed for and received a total of \$1,080.00 in unemployment insurance benefits for the five weeks between June 30, 2019 and August 10, 2019. 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 19A-UI-06401-SC-T.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant was not 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 \$1,080.00 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated August 12, 2019, reference 03, is reversed. The claimant was not overpaid \$1,080.00 in unemployment insurance benefits.

Stephanie R. Callahan
Administrative Law Judge

Decision Dated and Mailed

src/scn