

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

LEAH J ADLER
Claimant

APPEAL NO. 13A-UI-10367-JT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 11/04/12
Claimant: Appellant (1)

Iowa Code Section 96.3(7) - Overpayment

STATEMENT OF THE CASE:

Claimant Leah Adler filed a timely appeal from the September 6, 2013, reference 07, decision that she was overpaid \$187.00 in benefits for the week ending August 3, 2013. After due notice was issued, an in-person hearing was held on November 19, 2013. Claimant participated. The hearing in this matter was consolidated with the hearing in Appeal Number 13A-UI-10366-JTT. Exhibits One through Five were received into evidence.

ISSUE:

Whether the claimant was overpaid \$187.00 for the week ending August 3, 2013.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Leah Adler established an additional claim for benefits that was deemed effective July 28, 2013. In connection with the claim, Ms. Adler received \$187.00 in benefits for the week ending August 3, 2013. On September 6, 2013, a workforce development representative entered a September 6, 2013, reference 06, decision that disqualified Ms. Adler for benefits in connection with an August 3, 2013 discharge. The reference 06 decision has been affirmed on appeal. Appeal Number 13A-UI-10366-JTT.

REASONING AND CONCLUSIONS OF LAW:

Iowa code section 96.3(7) provides that if a claimant receives unemployment insurance benefits and is later deemed ineligible for benefits, the claimant must repay the benefits even if the benefits were received without any fault on the part of the claimant. Because Ms. Adler received benefits for which she has been deemed ineligible, those benefits constitute an overpayment that Ms. Adler is required to repay to the agency. Ms. Adler is overpaid \$187.00 in benefits for the week ending August 3, 2013.

DECISION:

The Agency representative's September 6, 2013, reference 07, decision is affirmed. The claimant was overpaid \$187.00 in benefits for the week ending August 3, 2013. The claimant must repay that amount.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/pjs