

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JOSEPH JONG
Claimant

APPEAL NO. 14A-UI-04657-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 11/17/13
Claimant: Appellant (1)**

Section 96.3-7 - Recovery of Overpayment of Benefits

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated April 28, 2014, reference 02, that concluded he was overpaid unemployment insurance benefits in the amount of \$2,856. A telephone hearing was held on May 27, 2014. The claimant participated in the hearing.

ISSUE:

Was the claimant was overpaid unemployment insurance benefits?

FINDINGS OF FACT:

The claimant filed for and received a total of \$2,856 in unemployment insurance benefits for the weeks between November 17, 2013, and January 4, 2014.

In a decision in appeal 13A-UI-13561-DWT dated January 14, 2014, an administrative law judge decided the claimant was disqualified from receiving benefits, was overpaid \$2,856 in benefits, and was required to repay the overpayment. That decision was affirmed by the Employment Appeal Board on February 25, 2014. The Employment Appeal Board decision became final on March 27, 2014, because the claimant did not appeal the decision to district court.

REASONING AND CONCLUSIONS OF LAW:

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

The unemployment insurance law provides that benefits must be recovered from a claimant who receives benefits and is later determined to be ineligible for benefits. Iowa Code § 96.3-7.

The administrative law judge has decided the claimant was overpaid \$2,856 in benefits, and was required to repay the overpayment. That decision was affirmed by the Employment Appeal Board. I have no authority to overturn a decision made by another administrative law judge or the Employment Appeal Board. This decision is final since it was not appealed.

DECISION:

The unemployment insurance decision dated April 28, 2014, reference 02, is affirmed. The claimant was overpaid \$2,856 in unemployment insurance benefits, which must be repaid. The claimant should contact the Agency to set up a repayment plan.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/css