

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CONNIE L WIDE
Claimant

APPEAL NO. 10A-UI-06553-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

IAC IOWA CITY
Employer

OC: 01/04/09
Claimant: Appellant (2)

Section 96.3-7 – Recovery of Overpayments
Section 96.6-2 – Timely Appeal

STATEMENT OF THE CASE:

Connie L. Wide filed an appeal from an unemployment insurance decision dated March 25, 2010, reference 02, that ruled she had been overpaid unemployment insurance benefits in the gross amount of \$1,206.00 for the three weeks ending January 2, 2010. After due notice was issued, a telephone hearing was held May 24, 2010 with Ms. Wide participating. This matter is considered on a consolidated record with 10A-UI-06552-AT. The administrative law judge takes official notice of Agency overpayment records.

ISSUES:

Has the claimant filed a timely appeal?

Has the claimant been overpaid for the three weeks ending January 2, 2010?

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having examined all of the evidence in the record, the administrative law judge finds: Connie L. Wide received and then repaid unemployment insurance benefits in the gross amount of \$1,206.00 for the three weeks ending January 2, 2010. The findings of fact concerning the timing of the claimant's appeal contained in the companion decision are incorporated herein by reference.

REASONING AND CONCLUSIONS OF LAW:

For the reasons stated in the companion decision, the administrative law judge concludes that the claimant's appeal is timely.

Iowa Code section 96.3-7 requires that unemployment insurance benefits paid in error be repaid to the Agency. Since the benefits were not paid in error, Ms. Wide was entitled to keep them. Since they have been repaid, the Agency must now reimburse her.

DECISION:

The unemployment insurance decision dated March 25, 2010, reference 02, is reversed. The claimant has not been overpaid unemployment insurance benefits in the amount of \$1,206.00 for the three weeks ending January 2, 2010. The Agency shall reimburse the claimant for the amount she has repaid.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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