

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**LANA R WHITE**  
Claimant

**APPEAL NO. 12A-UI-01456-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 08/28/11  
Claimant: Appellant (5)**

Section 96.3-7 – Recovery of Overpayments

**STATEMENT OF THE CASE:**

Lana R. White filed a timely appeal from an unemployment insurance decision dated February 8, 2012, reference 03, that ruled she had been overpaid unemployment insurance benefits in the gross amount of \$7,953.86 for the 21 weeks ending January 21, 2012. After due notice was issued, a telephone hearing was held February 24, 2012 on a consolidated record with 12A-UI-01441-AT.

**ISSUE:**

Has the claimant been overpaid?

**FINDINGS OF FACT:**

Lana R. White received state unemployment insurance benefits totaling \$7,953.86 for the 21 weeks ending January 21, 2012. The fact-finding decision holding her ineligible for state benefits for those weeks has been affirmed by the administrative law judge's decision in the companion case. Ms. White was eligible to receive emergency unemployment compensation at a lower weekly benefit amount during the weeks in question. Those benefits have been used to reduce the overpayment to \$57.86.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the claimant must repay the benefits she received in error. Iowa Code section 96.3-7 requires that unemployment insurance benefits paid in error be repaid, even if the individual who received the erroneous benefits is not at fault. The evidence here establishes that Ms. White received state unemployment insurance benefits during weeks that she should have received emergency unemployment compensation benefits at a lower rate. Thus, she was overpaid. The overpayment has been reduced to \$57.86.

**DECISION:**

The unemployment insurance decision dated February 8, 2012, reference 02, is modified. The claimant was overpaid by a total amount of \$7,953.86, all but \$57.86 has been recovered.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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