

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JAMIE K MARTINEZ**  
Claimant

**APPEAL NO. 10A-UI-15615-VST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 10/03/10**  
**Claimant: Appellant (2)**

Section 96.5-2-a – Discharge for Misconduct  
Section 96.3-7 – Overpayment of Benefits

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated November 8, 2010, reference 03, which held claimant had been overpaid the sum of \$1,844.00 in unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on January 5, 2011. Claimant participated. The record consists of the testimony of Jamie Martinez. Official notice is taken of agency records. This case was heard in conjunction with 10A-UI-15614-VST.

**ISSUE:**

Whether the claimant has been overpaid unemployment insurance benefits.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony of the witness and having considered all of the evidence in the record, makes the following findings of fact:

The claimant was disqualified from receiving unemployment insurance benefits in a representative's decision dated November 5, 2010. At the time of the disqualification, the claimant had received \$1,844.00 in unemployment insurance benefits. The representative's decision concerning the separation of employment was reversed by the administrative law judge in 10A-UI-15614-VST. The claimant is no longer disqualified from receiving unemployment insurance benefits on her claim with an original claim date of October 3, 2010.

**REASONING AND CONCLUSIONS OF LAW:**

The representative's decision that created the overpayment has now been reversed by the administrative law judge in 10A-UI-15614-VST. No overpayment now exists.

**DECISION:**

The decision of the representative dated November 8, 2010, reference 03, is reversed. The claimant has not been overpaid unemployment insurance benefits. The agency's records shall be corrected to show that there has been no overpayment on the claimant's claim with an original claim date of October 3, 2010.

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Vicki L. Seeck  
Administrative Law Judge

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Decision Dated and Mailed

vls/pjs