

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

LISA L WIESENDER
Claimant

APPEAL NO. 12A-UI-03507-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 01/24/10
Claimant: Appellant (2)

Section 96.3-7 – Recovery of Overpayments

STATEMENT OF THE CASE:

Lisa L. Wiesender filed a timely appeal from an unemployment insurance decision dated March 26, 2012, reference 08, that ruled she had been overpaid emergency unemployment compensation benefits in the gross amount of \$11,256.00 “for the 28 weeks ending February 15, 2012,” because of an earlier fact-finding decision that held her ineligible for emergency unemployment compensation benefits based on her claim that had been filed January 24, 2012. After due notice was issued, a telephone hearing was held April 23, 2012, on a consolidated record with 12A-UI-03506-AT.

ISSUE:

Has the claimant been overpaid?

FINDINGS OF FACT:

Lisa L. Wiesender received emergency unemployment compensation benefits totaling \$11,256.00 “for the 28 weeks ending February 15, 2012.” The fact-finding decision that had ruled she was not entitled to receive those benefits has been reversed by the administrative law judge decision in the companion case.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3-7 requires that unemployment insurance benefits paid in error be repaid. Since the companion decision has ruled that the claimant was entitled to receive the benefits in question, they need not be repaid.

DECISION:

The unemployment insurance decision dated March 26, 2012, reference 08, is reversed. The claimant has not been overpaid "for the 28 weeks ending February 15, 2012."

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw