

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

PEGGY L WATTS
Claimant

APPEAL 16A-UI-00494-JCT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 11/29/15
Claimant: Appellant (2)**

Section 96.3-7 - Recovery of Overpayment of Benefits

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated January 8, 2016 (reference 04) that concluded she was overpaid \$1341 in unemployment insurance benefits. A telephone hearing was held on January 25, 2016. Proper notice of the hearing was given to the claimant. The claimant participated personally in the hearing. Based on the evidence, the arguments of the claimant, and the law, the following findings of fact, reasoning and conclusions of law, and decision are entered.

ISSUE:

Has the claimant been overpaid benefits?

FINDINGS OF FACT:

The claimant filed a new claim for unemployment insurance benefits with an effective date of November 29, 2015. The claimant filed for and received a total of \$1341 in unemployment insurance benefits for the weeks between November 29, 2015 and December 19, 2015.

The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been reversed in a decision of the administrative law judge in Appeal No. 16A-UI-00076-JC-T (reference 01).

REASONING AND CONCLUSIONS OF LAW:

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

Iowa Code § 96.3-7 provides in pertinent part:

7. Recovery of overpayment of benefits.

a. If an individual receives benefits for which the individual is subsequently determined to be ineligible, even though the individual acts in good faith and is not otherwise at fault, the benefits shall be recovered. The department in its discretion may recover the overpayment of benefits either by having a sum equal to the overpayment deducted from any future benefits payable to the individual or by having the individual pay to the department a sum equal to the overpayment.

Since the decision disqualifying the claimant has been reversed, the claimant was not overpaid \$1341 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated January 8, 2016 (reference 04) is reversed. The claimant was not overpaid \$1341 in unemployment insurance benefits, and is not obligated to repay any benefits at this time.

Jennifer L. Coe
Administrative Law Judge

Decision Dated and Mailed

jlc/can