

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ISABELLE M GRANDINETTI
Claimant

APPEAL 22A-UI-08435-AR-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 03/15/20
Claimant: Appellant (1)

Iowa Code § 96.3(7) – Recovery of Benefit Overpayment

STATEMENT OF THE CASE:

The claimant filed an appeal from the April 1, 2022, (reference 05) unemployment insurance decision that determined claimant was overpaid regular unemployment insurance benefits in the amount of \$280.00 for the one-week period ending June 6, 2020. After due notice was issued, a telephone hearing was held on May 20, 2022, and was consolidated with the hearing for appeal numbers 22A-UI-08434-AR-T and 22A-UI-08436-AR-T. The claimant, Isabelle M. Grandinetti, participated personally. The administrative law judge took official notice of the administrative record.

ISSUE:

Is the claimant overpaid regular unemployment insurance benefits?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed for and has received regular unemployment insurance benefits in the gross amount of \$280.00 for the one-week period ending June 6, 2020. On June 28, 2021, Iowa Workforce Development (IWD) issued a decision (reference 03) that disqualified claimant from receiving regular unemployment insurance benefits. That decision has been affirmed. See 22A-UI-08434-AR-T.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge concludes claimant has been overpaid benefits for the period in question.

Iowa Code section 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.

b. (1) (a) If the department determines that an overpayment has been made, the charge for the overpayment against the employer's account shall be removed and the account shall be credited with an amount equal to the overpayment from the unemployment compensation trust fund and this credit shall include both contributory and reimbursable employers, notwithstanding section 96.8, subsection 5.

The administrative law judge concludes that the claimant has been overpaid regular unemployment insurance benefits in the amount of \$280.00. That amount must be repaid to the agency.

DECISION:

The April 1, 2022 (reference 05) unemployment insurance decision is affirmed. Claimant has been overpaid regular unemployment insurance benefits in the amount of \$280.00, and those benefits must be repaid to the agency.



Alexis D. Rowe
Administrative Law Judge

June 29, 2022
Decision Dated and Mailed

ar/kmj