

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

CHRIS J HINRICHSEN
Claimant

APPEAL 21A-UI-18289-JC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 12/15/19
Claimant: Appellant (2)**

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

STATEMENT OF THE CASE:

The claimant/appellant, Chris J. Hinrichsen, filed an appeal from the August 10, 2021 (reference 02) Iowa Workforce Development (“IWD”) unemployment insurance decision that concluded he was overpaid \$5,291.00 in regular unemployment insurance benefits. After proper notice, a telephone hearing was held on October 13, 2021. The hearing was held together with Appeals 21A-UI-18288-JC-T and 21A-UI-18290-JC-T. The claimant participated personally and was represented by Eric S. Mail, attorney at law. The administrative law judge took official notice of the administrative records. Department Exhibit 1 was admitted. Based on the evidence, the arguments presented, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Has the claimant been overpaid any unemployment insurance benefits?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant filed a new claim for unemployment insurance benefits with an effective date of December 15, 2019.

The claimant filed for and received a total of \$5,291.00 in regular, state unemployment insurance benefits for the weeks between April 26, 2020 and July 25, 2020. The initial decision which denied benefits to the claimant was reversed in Appeal 21A-UI-18288-JC-T.

REASONING AND CONCLUSIONS OF LAW:

The issue is whether the claimant has been overpaid regular unemployment insurance benefits.

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.

Since the decision disqualifying the claimant has been reversed, the claimant was not overpaid \$5,291.00 in regular unemployment insurance benefits.

DECISION:

The August 10, 2021 (Reference 02) initial decision is reversed. The claimant was not overpaid \$5,291.00 in regular unemployment insurance benefits.



Jennifer L. Beckman
Administrative Law Judge
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October 18, 2021
Decision Dated and Mailed

jlb/scn