

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

LASANDRA P VAUGHN
Claimant

APPEAL 20A-UI-14010-SC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

IOWA WORKFORCE DEVELOPMENT

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

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

STATEMENT OF THE CASE:

On November 4, 2020, LaSandra P. Vaughn (claimant) appealed an unemployment insurance decision dated October 26, 2020, reference 02, that concluded she was overpaid \$477.00 in unemployment insurance benefits. The parties were properly notified about the hearing held by telephone on January 6, 2020 and it was consolidated with the hearing for appeal 20A-UI-14010-SC-T. The claimant participated. Michael's Baker Products, LLC (employer) did not respond to the hearing notice and did not participate. The department's Exhibits D1 and D2 were admitted into the record.

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 March 15, 2020. The claimant filed for and received a total of \$477.00 in unemployment insurance benefits for the week ending March 28. The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been affirmed in a decision of the administrative law judge in appeal 20A-UI-14009-SC-T.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant was overpaid unemployment insurance benefits, which must be repaid.

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 affirmed, the claimant was overpaid \$477.00 in unemployment insurance benefits. The benefits must be recovered, even if a claimant acts in good faith and is not otherwise at fault.

DECISION:

The unemployment insurance decision dated October 26, 2020, reference 02, is affirmed. The claimant was overpaid \$477.00 in unemployment insurance benefits, which must be repaid.



Stephanie R. Callahan
Administrative Law Judge

January 22, 2021
Decision Dated and Mailed

src/mh