

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MICHELLE R LEVY
Claimant

APPEAL NO. 12A-UI-11202-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 07/29/12
Claimant: Appellant (2)**

Section 96.3-7 - Overpayment of Benefits

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated September 14, 2012, reference 02, that concluded she was overpaid unemployment insurance benefits. A telephone hearing was held on October 12, 2012. The claimant participated in the hearing with a witness, Charles Levy.

ISSUE:

Was the claimant overpaid unemployment insurance benefits?

FINDINGS OF FACT:

The claimant filed a new claim for unemployment insurance benefits with an effective date of July 29, 2012. The claimant filed for and received a total of \$824.00 in unemployment insurance benefits for the weeks between July 29 and August 25, 2012.

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 12A-UI-11201-SWT.

REASONING AND CONCLUSIONS OF LAW:

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

The unemployment insurance law provides that benefits must be recovered from a claimant who receives benefits and is later determined to be ineligible for benefits, even though the claimant acted in good faith and was not otherwise at fault. Iowa Code § 96.3-7.

Since the decision disqualifying the claimant has been reversed, the claimant was not overpaid \$824.00 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated September 14, 2012, reference 02, is reversed. The claimant was not overpaid \$824.00 in unemployment insurance benefits.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/css