

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

CASEY L WETJEN
Claimant

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

APPEAL NO. 20A-UI-15232-AD-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

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

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

STATEMENT OF THE CASE:

Casey Wetjen (claimant/appellant) appealed the October 26, 2020 (reference 03) decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$1,485.00 for the five-week period between March 15 and April 25, 2020, as a result of a disqualification decision.

A telephone hearing was held on January 22, 2021, pursuant to due notice. Claimant participated personally. The administrative law judge took official notice of the administrative record.

ISSUE:

Was the claimant overpaid regular, state unemployment insurance benefits?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

The unemployment insurance system shows claimant has received weekly benefits in the amount of \$297.00 for a total of five weeks, from the benefit week ending March 28, 2020 and continuing through the benefit week ending April 25, 2020. The total amount of benefits paid to date is \$1,485.00.

Claimant was subsequently determined to be ineligible for benefits in a decision dated June 2, 2020. That decision has now been affirmed. See 20A-UI-15231-AD-T.

REASONING AND CONCLUSIONS OF LAW:

For the reasons set forth below, the October 26, 2020 (reference 03) decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$1,485.00 is **AFFIRMED**.

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 unemployment insurance system shows claimant has received weekly benefits in the amount of \$297.00 for a total of five weeks, from the benefit week ending March 28, 2020 and continuing through the benefit week ending April 25, 2020. The total amount of benefits paid to date is \$1,485.00. Claimant was subsequently determined to be ineligible for benefits in a decision dated June 2, 2020. That decision has now been affirmed. See 20A-UI-15231-AD-T. Because claimant received \$1,485.00 in benefits which she was subsequently deemed ineligible for, she has been overpaid benefits in that amount.

DECISION:

The October 26, 2020 (reference 03) decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$1,485.00 is AFFIRMED.



Andrew B. Duffelmeyer
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515) 478-3528

February 08, 2021
Decision Dated and Mailed

abd/ol

Note to Claimant:

If you disagree with this decision, you may file an appeal with the Employment Appeal Board by following the instructions on the first page of this decision. If this decision denies benefits, you may be responsible for paying back benefits already received.

Individuals who are disqualified from or are otherwise ineligible for regular unemployment insurance benefits but who are unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.