

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**MICHAEL N GARZA**  
Claimant

**APPEAL 22A-UI-06644-AR-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

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

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Iowa Code § 96.3(7) – Recovery of Benefit Overpayment  
PL 110-252, Sec. 4001 – Federal Emergency Unemployment Compensation Extension Act  
Iowa Code § 96.29 – Extended Benefits  
20 C.F.R. § 615 – Extended Benefits

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the March 11, 2022, (reference 04) unemployment insurance decision that determined claimant was overpaid state extended benefits (EB) in the amount of \$855.00 for the three-week period ending October 24, 2020. After due notice was issued, a telephone hearing was held on May 18, 2022, and was consolidated with the hearing for appeal numbers 22A-UI-06642-AR-T, 22A-UI-06643-AR-T, and 22A-UI-06645-AR-T. The claimant, Michael N. Garza, participated personally. The administrative law judge took official notice of the administrative record.

**ISSUE:**

Is the claimant overpaid extended benefits?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed for and has received EB in the gross amount of \$855.00 for the three-week period ending October 24, 2020. On April 2, 2021, Iowa Workforce Development (IWD) issued a decision (reference 02) that disqualified claimant from receiving benefits. That decision has been affirmed. See 22A-UI-06642-AR-T.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes claimant is overpaid EB.

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.

The Emergency Unemployment Compensation (EUC) program was created by Public Law 110-252, Title VI. This temporary unemployment insurance program provides up to 13 additional weeks of unemployment benefits to certain workers who have exhausted their rights to regular unemployment compensation benefits.

Because claimant is not eligible for regular benefits as a result of, claimant is not eligible for extended unemployment insurance benefits. Therefore, the claimant has been overpaid extended benefits in the amount of \$855.00.

**DECISION:**

The March 11, 2022 (reference 04) unemployment insurance decision is affirmed. Claimant has been overpaid extended benefits in the amount of \$855.00, which must be repaid.



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Alexis D. Rowe  
Administrative Law Judge

June 21, 2022  
Decision Dated and Mailed

ar/mh