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

GABRIELL R MORROW
Claimant

APPEAL NO: 11A-UI- 12572-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
  DEVELOPMENT DEPARTMENT**

**OC: 06/12/11
Claimant: Appellant (4)**

Section 96.3-7 - Overpayment of Benefits

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated September 16, 2011, reference 03, that concluded she was overpaid benefits. A telephone hearing was held on October 18, 2011. The claimant participated in the hearing.

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 June 12, 2011. The claimant filed for and received a total of $2,730.00 in unemployment insurance benefits for the weeks between June 12 through July 30, 2011.

The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been modified in favor of the claimant in a decision of the administrative law judge in appeal 11A-UI-12571-SWT. The claimant was found ineligible for benefits for seven weeks from June 12 through July 30, 2011.

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 modified, the claimant was overpaid $2,730.00 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated September 16, 2011, reference 03, is modified in favor of the claimant. The claimant was overpaid $2,730.00 in unemployment insurance benefits, which must be repaid.

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Steven A. Wise
Administrative Law Judge

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Decision Dated and Mailed

saw/css