

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DIANNA L BROWN
Claimant

APPEAL 20A-UI-01507-SC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

IOWA WORKFORCE DEVELOPMENT

OC: 12/15/19
Claimant: Appellant (1)

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

STATEMENT OF THE CASE:

On February 19, 2020, Dianna L. Brown (claimant) appealed an unemployment insurance decision dated February 10, 2020, reference 02, that concluded she was overpaid \$548.00 in unemployment insurance benefits. After due notice was issued, a telephone conference hearing was held on March 10, 2020 and consolidated with the hearing for appeal 20A-UI-01506-SC-T. The claimant participated through David Brown, her husband. Muscatine Community School Dist. (employer) participated through Jill Bourquin, Human Resources Director. The Employer's Exhibits 1 through 6 and 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 December 15, 2019. She filed for and received a total of \$548.00 in unemployment insurance benefits for the weeks between December 15, 2019 and January 11, 2020. 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-01506-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 \$548.00 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated February 10, 2020, reference 02, is affirmed. The claimant was overpaid \$548.00 in unemployment insurance benefits, which must be repaid.



Stephanie R. Callahan
Administrative Law Judge

March 19, 2020
Decision Dated and Mailed

src/scn