

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**OLIVER L THIGPEN**  
Claimant

**APPEAL NO. 08A-UI-10050-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 08/17/08 R: 03  
Claimant: Appellant (1)**

Section 96.3-7 - Overpayment of Benefits

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated October 29, 2008, reference 06, that concluded he was overpaid unemployment insurance benefits. A telephone hearing was scheduled for November 14, 2008, but the hearing was reopened due to problems with the claimant's telephone. A telephone hearing was held on December 8, 2008. 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 August 17, 2008. The claimant filed for and received a total of \$3,204.00 in unemployment insurance benefits for the weeks between August 17 and October 18, 2008.

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 08A-UI-10049-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 section 96.3-7.

Since the decision disqualifying the claimant has been affirmed, the claimant was overpaid \$3,204.00 in unemployment insurance benefits.

**DECISION:**

The unemployment insurance decision dated October 29, 2008, reference 06, is affirmed. The claimant was overpaid \$3,204.00 in unemployment insurance benefits, which must be repaid.

---

Steven A. Wise  
Administrative Law Judge

---

Decision Dated and Mailed

saw/pjs