

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RICK P KNUTSON**

Claimant

**APPEAL NO. 14A-UI-06349-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 04/13/14**

**Claimant: Appellant (1)**

Section 96.3-7 – Recovery of Overpayment

**STATEMENT OF THE CASE:**

The claimant appealed a department representative's decision dated May 23, 2014, reference 04, that held he is overpaid benefits \$1,224 for the three weeks ending May 3, 2014 due to a May 16, 2014 department decision that disqualified him. A hearing was held on July 31, 2014. The claimant participated.

**ISSUE:**

The issue is whether the claimant is overpaid benefits.

**FINDINGS OF FACT:**

The administrative law judge having heard the witness testimony and having considered the evidence in the record finds that: Claimant filed a UI claim effective April 13, 2014. He claimed for and received benefits totaling \$1,224 for a three week period ending May 3. The department issued a decision dated May 16, 2014 reference 01 that disqualified the claimant for a voluntary quit without good cause from Municipal Pipe Tool and it caused him to be overpaid \$1,224. The decision has been affirmed (#14A-UI-06348-ST).

**REASONING AND CONCLUSIONS OF LAW:**

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.

b. (1) 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 administrative law judge concludes that the claimant is overpaid benefits \$1,224 due to a department May 16, 2014 decision that has been affirmed. The department issued a decision that disqualified claimant for a voluntary quit without good cause from Municipal Pipe Tool and that decision has been affirmed in Appeal #14A-UI-06348-ST.

**DECISION:**

The decision of the representative dated May 23, 2014, reference 04, is affirmed. The claimant is overpaid benefits \$1,224.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

rls/pjs