

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

BERLE L WILLIAMS
Claimant

APPEAL NO. 12A-UI-04935-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 01/24/10
Claimant: Appellant (1)

Section 96.3-7 – Recovery of Overpayments

STATEMENT OF THE CASE:

Berle L. Williams filed a timely appeal from an unemployment insurance decision dated April 27, 2012, reference 06, that ruled he had been overpaid \$751.00 in unemployment insurance benefits for the two weeks ending December 11, 2010. After due notice was issued, a telephone hearing was held May 29, 2012, with Mr. Williams participating. This matter is considered on a consolidated record with 12A-UI-04934-AT. The administrative law judge takes official notice of Agency benefit payment records.

ISSUE:

Has the claimant been overpaid for the two weeks ending December 11, 2010?

FINDINGS OF FACT:

Berle L. Williams received unemployment insurance benefits in the gross amount of \$751.00 for the two weeks ending December 11, 2010. The fact-finding decision holding him ineligible for those benefits has been affirmed by the administrative law judge decision in the companion case.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3-7 requires that unemployment insurance benefits paid in error be repaid, even if the individual who has received the benefits is not at fault for the overpayment. The evidence in this record establishes that Mr. Williams received the benefits in question. Although he received the benefits in good faith, they were paid in error. The law requires that they be repaid.

DECISION:

The unemployment insurance decision dated April 27, 2012, reference 06, is affirmed. The claimant has been overpaid unemployment insurance benefits in the amount of \$751.00 for the two weeks ending December 11, 2010.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw