

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**CHRISTOPHER L TIMMONS**  
Claimant

**APPEAL 22A-UI-05630-DB-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 10/18/20**  
**Claimant: Appellant (2)**

Iowa Code § 96.3(7) – Overpayment of Benefits

**STATEMENT OF THE CASE:**

The claimant/appellant filed an appeal from the February 22, 2022 (reference 02) unemployment insurance decision that found claimant was overpaid regular unemployment insurance benefits in the amount of \$1,260.00 for the weeks between November 29, 2020 and February 6, 2021. The claimant was properly notified of the hearing. A telephone hearing was held on April 25, 2022. The claimant participated personally. Claimant's Exhibits A and B were admitted. The administrative law judge took administrative notice of the claimant's unemployment insurance benefits records. This hearing was consolidated with Appeal No. 22A-UI-05628-DB-T and 22A-UI-05631-DB-T.

**ISSUE:**

Is the claimant overpaid regular unemployment insurance benefits?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed for unemployment insurance benefits effective October 18, 2020. Claimant was paid regular unemployment insurance benefits of \$3,240.00 for the weeks between October 18, 2020 and February 6, 2021. He was also paid FPUC benefits of \$1,800.00 for the six-week period ending February 6, 2021. An unemployment insurance decision was issued on February 12, 2021 (reference 01) which found that the claimant was not eligible for regular unemployment insurance benefits due to him still being employed for the same hours and wages with Logiclean of Ames Inc. That denial decision was reversed in Appeal No. 22A-UI-05628-DB-T.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes as follows:

Iowa Code § 96.3(7)a provides:

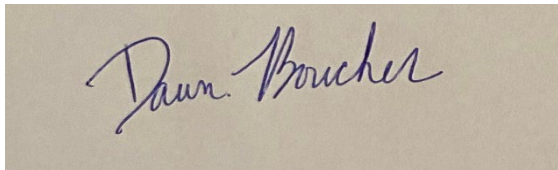
7. Recovery of overpayment of benefits.

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.

In this case, the claimant was paid regular unemployment insurance benefits but was later determined to be ineligible for those benefits. That denial decision dated February 12, 2021 (reference 01) has now been reversed in Appeal No. 22A-UI-05628-DB-T. As such, the claimant is not overpaid regular unemployment insurance benefits as the underlying denial decision has been reversed.

**DECISION:**

The February 22, 2022 (reference 02) unemployment insurance decision is reversed. The claimant was not overpaid regular unemployment insurance benefits for the weeks between October 18, 2020 and February 6, 2021 as the underlying disqualification decision has been reversed.

A handwritten signature in blue ink that reads "Dawn Boucher". The signature is written in a cursive style and is positioned above a horizontal line.

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Dawn Boucher  
Administrative Law Judge

April 28, 2022  
Decision Dated and Mailed

db/db