

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**GRANT D HILL**

Claimant

**APPEAL 19A-UI-05906-SC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 06/09/19**

**Claimant: Appellant (1)**

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

**STATEMENT OF THE CASE:**

On July 25, 2019, Grant D. Hill (claimant) appealed an unemployment insurance decision dated July 17, 2019, reference 07, that concluded he was overpaid \$991.00 in unemployment insurance benefits. The parties were properly notified about the hearing. A telephone hearing was held on August 15, 2019 and consolidated with the hearing for appeal number 19A-UI-05905-SC-T. The claimant and his former co-worker, Brett Schroeder, participated. The claimant identified four other witnesses who were contacted multiple times for the hearing but did not answer or disconnected shortly after answering. The employer participated through General Manager Christy Mitchell, Franchise Owner Asif Poonja, and District Manager Ricco Mitchell.

The Employer's Exhibit 1 was received without objection. The claimant stated he mailed recordings to both the Appeals Bureau and the employer; however, neither received the recordings. The claimant was given the option of proceeding without the recordings or postponing the hearing and he elected to proceed. Both parties identified documents throughout the hearing that it wished to submit after the hearing; however, as neither party followed the instructions on the hearing notice with regard to those documents, they were not admitted into the record and the record was not left open to allow the parties the opportunity to offer the documents.

**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 June 9, 2019. The claimant filed for and received a total of \$991.00 in unemployment insurance benefits for the three weeks between June 9 and July 6. 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 19A-UI-05905-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 is not eligible for benefits; therefore, he was overpaid \$991.00 in unemployment insurance benefits.

**DECISION:**

The unemployment insurance decision dated July 17, 2019, reference 07, is affirmed. The claimant was overpaid \$991.00 in unemployment insurance benefits, which must be repaid.

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Stephanie R. Callahan  
Administrative Law Judge

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Decision Dated and Mailed

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