

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

DENISE P PURKEYPILE
Claimant

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

APPEAL NO. 21A-UI-11207-AD-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 06/16/19
Claimant: Appellant (1)

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

STATEMENT OF THE CASE:

On April 12, 2021, Denise Purkeypile (claimant/appellant) appealed the April 1, 2021 (reference 10) decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$1,674.00 for the nine-week period between April 12 and June 13, 2020, as a result of a prior decision finding claimant ineligible for benefits during that period.

A telephone hearing was held on July 8, 2021, pursuant to due notice. Claimant participated personally. Claimant's mother and a family friend, Everett Bromwich, participated as well. The administrative law judge took official notice of the administrative record.

ISSUE:

Was the claimant overpaid regular, state unemployment insurance benefits?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

The unemployment insurance system shows claimant received regular, state unemployment insurance benefits in the amount of \$186.00 per week for a total of nine weeks, from the benefit week ending April 18, 2020 and continuing through the benefit week ending June 13, 2020. The total amount of regular, state unemployment insurance benefits paid during this period is \$1,674.00.

Claimant was subsequently determined to be ineligible for benefits during that period in a decision dated September 8, 2020. That decision remains in force. See 20A-UI-11404-DG-T; 20B-UI-11404-EAB; and 21R-UI-09999-DG-T. As of the date of hearing, claimant had not appealed that eligibility issue further.

REASONING AND CONCLUSIONS OF LAW:

For the reasons set forth below, the April 1, 2021 (reference 10) decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$1,674.00 for the nine-week period ending between April 12 and June 13, 2020 is AFFIRMED.

Iowa Code section 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) (a) 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.

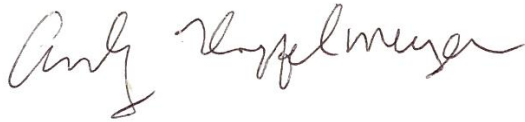
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Because claimant received regular, state unemployment insurance benefits in the amount of \$1,674.00 for which she was later determined to be ineligible, she has been overpaid in that amount.

DECISION:

The April 1, 2021 (reference 10) decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$1,674.00 for the nine-week period between April 12 and June 13, 2020 is AFFIRMED.



Andrew B. Duffelmeyer
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515) 478-3528

July 20, 2021
Decision Dated and Mailed

abd/lj

Note to Claimant:

If you disagree with this decision, you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision.

Individuals who are disqualified from or are otherwise ineligible for **regular** unemployment insurance benefits but who are unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.