

IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

SENAD MEHIC
8769 SUMMIT DR
CLIVE IA 50325

IOWA WORKFORCE
DEVELOPMENT DEPARTMENT

Appeal Number: 06A-UI-00713-AT
OC: 12-18-05 R: 02
Claimant: Appellant (2)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.3-7 – Recovery of Overpayments

STATEMENT OF THE CASE:

Senad Mehic filed a timely appeal from an unemployment insurance decision dated January 11, 2006, reference 01, which ruled that he had been overpaid \$146.00 for the week ending December 31, 2005 upon a finding that he had incorrectly reported vacation pay from Titan Tire Corporation. Before a hearing could be scheduled in this matter, a subsequent fact-finding decision granted the relief requested by Mr. Mehic. Under these circumstances, no hearing need be held.

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: Senad Mehic properly reported vacation pay for the week ending December 31, 2005. He was entitled to receive the unemployment insurance benefits he received for that week.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the claimant must repay the unemployment insurance benefits he received for the week ending December 31, 2005. He need not do so. The evidence establishes that the claimant was entitled to receive the benefits paid to him for the week ending December 31, 2005. Therefore, he need not repay any portion of those benefits.

DECISION:

The unemployment insurance decision dated January 11, 2006, reference 01, is reversed. The claimant has not been overpaid for the week ending December 31, 2005.

kkf/tjc