

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JENNIFER L PETERSON
Claimant

APPEAL NO: 18A-UI-05707-JC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 04/15/18
Claimant: Appellant (2)

Iowa Code § 96.3(7) – Recovery of Benefit Overpayment
Iowa Code Chapter 95 – Requalification
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action

STATEMENT OF THE CASE:

The claimant filed an appeal from the May 17, 2018, (reference 03) unemployment insurance decision that concluded she was overpaid \$612.00 in unemployment insurance benefits. After due notice was issued, a hearing was scheduled to be held on June 11, 2018. Because the issue appealed was resolved administratively prior to the hearing in the appellant's favor (see the reference 04 representative's decision), no testimony was necessary and no hearing was held.

ISSUE:

Should the unemployment insurance decision be affirmed?
Has the claimant been overpaid any unemployment insurance benefits?
Has the claimant requalified for benefits since the separation from this employer?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant filed a new claim for unemployment insurance benefits with an effective date of April 15, 2018. A reference 03 decision dated May 17, 2018, concluded the claimant was overpaid benefits. The decision appealed has been amended in favor of the appellant by the reference 04 representative's decision dated May 24, 2018. The claimant is allowed benefits and the employer's account is relieved of charges.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the representative's decision should be reversed.

The issue in this case is whether the claimant was overpaid unemployment insurance benefits. Since the decision concluding the claimant was overpaid benefits has been reversed by the reference 04 decision, the original representative's decision bearing reference 03 is reversed.

The hearing scheduled for June 11, 2018 is canceled.

DECISION:

The May 17, 2018, (reference 03) unemployment insurance decision is reversed. The claimant is not overpaid benefits.

Jennifer L. Beckman
Administrative Law Judge

Decision Dated and Mailed

jlb/scn