

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DANIEL E GOMEZ
Claimant

APPEAL NO. 13A-UI-02859-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 01/22/12
Claimant: Appellant (2)

Section 96.3-7 - Overpayment of Benefits

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated March 6, 2013, reference 02, that concluded he was overpaid \$3,510.00 in benefits for the weeks between November 18, 2012, and January 19, 2013. A telephone hearing was held on April 9, 2013. The claimant participated in the hearing with his representative, Katie Naset. Exhibit A was admitted into evidence at the hearing.

ISSUE:

Was the claimant overpaid unemployment insurance benefits?

FINDINGS OF FACT:

The claimant filed for and received a total of \$3,510.00 in benefits for the weeks between November 18, 2012, and January 19, 2013.

The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits effective November 18, 2012, has been reversed in a decision of the administrative law judge in appeal 13A-UI-02858-SWT.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant was overpaid unemployment insurance benefits.

The unemployment insurance law provides that benefits must be recovered from a claimant who receives benefits and is later determined to be ineligible for benefits, even though the claimant acted in good faith and was not otherwise at fault. Iowa Code § 96.3-7.

Since the decision disqualifying the claimant has been reversed, the claimant was not overpaid \$3,510.00 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated March 6, 2013, reference 02, is reversed. The claimant was not overpaid \$3,510.00 in unemployment insurance benefits.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

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