

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JAMIE CHAPMAN
Claimant

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

APPEAL 22A-UI-07819-LJ-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 08/15/21
Claimant: Appellant (2)**

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

STATEMENT OF THE CASE:

On March 14, 2022, the claimant Jamie Chapman appealed the March 9, 2022, (reference 04) unemployment insurance decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$551.00 for the one-week period ending November 20, 2020, as a result of a disqualification decision. A telephonic hearing was held at 9:00 a.m. on Wednesday, May 25, 2022. Appeal numbers 22A-UI-07819-LJ-T and 22A-UI-11384-LJ-T were heard together and created one record. The claimant, Jamie Chapman, participated. Department's Exhibits D-1, D-2, and D-3 were marked and admitted into the record. The administrative law judge took official notice of the administrative record. D-1 and D-2 and D-3. The hearing record was left open to allow the claimant to search her records at home for a copy of the January 12, 2022 (reference 03) decision. The results of that search were reported back in an email that has been marked and admitted as exhibit D-4.

ISSUE:

Has the claimant been overpaid unemployment insurance benefits for the period in question?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The overpayment issue in this case was created by the disqualification decision that has been reversed. See 22A-UI-11384-LJ-T.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge concludes claimant has not been overpaid benefits for the period in question.

Iowa Code § 96.3(7) provides, in pertinent part:

7. Recovery of overpayment of benefits.

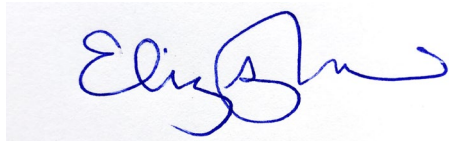
a. If an individual receives benefits for which the individual is subsequently determined to be ineligible, even though the individual acts in good faith and is not otherwise at fault, the benefits shall be recovered. The department in its discretion may recover the overpayment of benefits either by 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.

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.

The administrative law judge concludes that the claimant has not been overpaid unemployment insurance benefits in the amount of \$551.00 pursuant to Iowa Code § 96.3(7) as the disqualification decision that created the overpayment decision has been reversed.

DECISION:

The March 9, 2022, (reference 04) unemployment insurance decision is reversed. The claimant has not been overpaid unemployment insurance benefits in the amount of \$551.00.



Elizabeth A. Johnson
Administrative Law Judge
Unemployment Insurance Appeals Bureau

May 27, 2022
Decision Dated and Mailed

lj/lj