

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

LAVERNE ST. ANGE
Claimant

APPEAL NO: 21A-UI-18262-SN-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 09/08/19
Claimant: Appellant (2)

Iowa Code § 96.3(7) – Recovery of Benefit Overpayment / Lost Wage Assistance

STATEMENT OF THE CASE:

The claimant filed an appeal from the August 3, 2021, (reference 04) unemployment insurance decision that concluded she was overpaid \$300.00 in Lost Wage Assistance (LWA) benefits. After proper notice, a telephone hearing was conducted on October 12, 2021. The hearing was held jointly with appeal 21A-UI-18259-SN-T, 21A-UI-18261-SN-T, and 21A-UI-18260-SN-T. The claimant participated. Official notice of the administrative records was taken.

ISSUE:

Has the claimant been overpaid any LWA benefits?

FINDINGS OF FACT:

The claimant filed a new claim for unemployment insurance benefits with an effective date of September 8, 2019.

The claimant filed for and received a total of \$300.00 in regular, state unemployment insurance benefits for the week ending September 5, 2020.

The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been reversed in a decision of the administrative law judge in appeal 21A-UI-18259-SN-T.

REASONING AND CONCLUSIONS OF LAW:

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

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

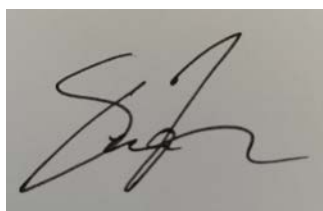
7. Recovery of overpayment of benefits.

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.

Since the decision disqualifying the claimant has been reversed, the claimant was overpaid \$300.00 in LWA benefits because she was entitled to those benefits. See 21A-UI-18259-SN-T.

DECISION:

The unemployment insurance decision dated August 3, 2021, (reference 04), is reversed. The claimant was not overpaid \$300.00 in LWA benefits due to the reversal in 21A-UI-18259-SN-T.

A rectangular box containing a handwritten signature in black ink. The signature is stylized and appears to read 'S. Nelson'.

Sean M. Nelson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515) 725-9067

October 26, 2021
Decision Dated and Mailed

smn/scn