

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

STEVEN E FREEMAN
Claimant

APPEAL NO. 11A-EUCU-00367-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 09/13/09
Claimant: Appellant (1)

Section 96.3-7 – Recovery of Overpayments

STATEMENT OF THE CASE:

Steven E. Freeman filed a timely appeal from an unemployment insurance decision dated March 29, 2011, reference 06, that ruled he had been overpaid unemployment insurance benefits in the gross amount of \$3,232.83 for the 11 weeks ending July 17, 2010. After due notice was issued, a telephone hearing was held April 25, 2011, on a consolidated record with Appeal Number 11A-EUCU-00366-AT.

ISSUE:

Has the claimant been overpaid?

FINDINGS OF FACT:

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: The claimant received unemployment insurance benefits in the gross amount of \$3,232.83 for the 11 weeks ending July 17, 2010. The most recent decision to consider the unemployment insurance consequences of his separation from employment ruled that he was disqualified for benefits.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3-7 requires that unemployment insurance benefits paid in error be repaid to the Agency, even if the individual who has received them is not at fault for the overpayment. The evidence in this record establishes that the claimant received unemployment insurance benefits for the 11 weeks ending July 17, 2010, a period of time for which he was disqualified for benefits. Therefore, the benefits must be repaid.

DECISION:

The unemployment insurance decision dated March 29, 2011, reference 06, is affirmed. The claimant has been overpaid for the 11 weeks ending July 17, 2010.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw