

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

GERALD M HAMMEL
Claimant

APPEAL NO. 11A-EUCU-00857-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 11/02/08
Claimant: Appellant (5)

Section 96.3-7 – Recovery of Overpayments

STATEMENT OF THE CASE:

Gerald M. Hammel filed a timely appeal from an unemployment insurance decision dated December 1, 2011, reference 04, that ruled he had been overpaid Emergency Unemployment Compensation in the gross amount of \$586.00 for the two weeks ending November 12, 2011 because he should have received state unemployment insurance benefits for those weeks. After due notice was issued, this matter was considered on a consolidated record with 11A-EUCU-00856-AT. The administrative law judge takes official notice of agency benefit payment records and overpayment records.

ISSUE:

Has the claimant been overpaid?

FINDINGS OF FACT:

Through no fault of his own, Gerald M. Hammel initially received Emergency Unemployment Compensation for the two weeks ending November 12, 2011. He should have received state unemployment insurance benefits for those weeks. After the agency discovered the oversight, it repaid the federal account for the Emergency Unemployment Compensation benefits erroneously paid to Mr. Hammel. The accounts have been squared. Mr. Hammel owes nothing to the agency.

REASONING AND CONCLUSIONS OF LAW:

The evidence in the record establishes that the overpayment has been settled by the agency crediting the federal account for the federal benefits initially paid to Mr. Hammel. Mr. Hammel owes nothing to the agency at this time.

DECISION:

The unemployment insurance decision dated December 1, 2011, reference 04, is modified. Although the claimant initially received Emergency Unemployment Compensation for two weeks for which he should have received state unemployment insurance benefits, this has not resulted in a situation in which he must pay any money back to the agency.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

pjs/pjs