

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KELLY P CLARK
Claimant

APPEAL NO. 12A-UI-06372-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 07/24/11
Claimant: Appellant (2)**

Section 96.3-7 - Overpayment of Benefits

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated May 21, 2012, reference 08, that concluded he was overpaid unemployment insurance benefits. A telephone hearing was held on June 25, 2012. The claimant participated in the hearing. Exhibit A-1 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 \$1,246.75 in unemployment insurance benefits for the weeks between August 7 and November 19, 2011.

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 12A-UI-06371-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 \$1,246.75 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated May 21, 2012, reference 08, is reversed. The claimant was not overpaid \$1,246.75 in unemployment insurance benefits.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

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