

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

AUSTIN REGENOLD

Claimant

APPEAL 21A-UI-18832-ED-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

HOOGLAND FOODS LLC

Employer

OC: 05/17/20

Claimant: Appellant (6)

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

STATEMENT OF THE CASE:

Claimant filed an appeal from the August 20, 2021 unemployment insurance decision that found claimant was overpaid Lost Wages Assistance (LWA). Claimant was properly notified of the hearing. A telephone hearing was held on October 19, 2021. Claimant participated. No exhibits were admitted. Official notice was taken of the administrative record.

ISSUE:

Whether claimant is overpaid LWA.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed for and has received LWA in the gross amount of \$1,800.00 for the 6 week period ending September 5, 2020. The unemployment insurance decision that disqualified claimant from receiving regular state unemployment benefits, and thus LWA, (and resulted in the overpayment) has been reversed (see 21A-UI-18829-ED-T).

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes:

Iowa Code section 96.3(7) states:

7. Recovery of overpayment of benefits.

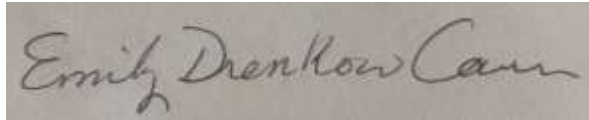
a. If an individual receives benefits for which the individual is subsequently determined to be ineligible, even though the individual acts in good faith and is not otherwise at fault, the benefits shall be recovered. The department in its discretion may recover the overpayment of benefits either by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

Because claimant is eligible for regular state unemployment benefits, claimant is also eligible for LWA. The administrative law judge concludes that claimant has not been overpaid LWA in the

gross amount of \$1,800.00 for the 6-week period between September 5, 2020. Claimant is not required to repay those benefits.

DECISION:

The August 20, 2021 unemployment insurance decision is reversed. Claimant has not been overpaid Lost Wages Assistance in the amount of \$1,800.00 for the 6-week period ending September 5, 2020, which does not need to be repaid.

A rectangular box containing a handwritten signature in cursive script that reads "Emily Drenkow Carr".

Emily Drenkow Carr
Administrative Law Judge

October 28, 2021
Decision Dated and Mailed

ed/ol