

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**DAVID REEVES**

Claimant

**APPEAL NO: 21A-UI-00853-SN-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**SELECT MEDICAL CORPORATION**

Employer

**OC: 07/05/2020**

**Claimant: Appellant (1)**

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

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the November 23, 2020, (reference 03) unemployment insurance decision that concluded he was overpaid \$112.00 in unemployment insurance benefits. After proper notice, a telephone hearing was conducted on Saturday, February 13, 2021. The hearing was held jointly with Appeal 21A-UI-00853-SN-T. The claimant participated. The employer did not participate. Official notice of the administrative records was taken.

**ISSUES:**

Has the claimant been overpaid any unemployment insurance benefits?

**FINDINGS OF FACT:**

The claimant filed a new claim for unemployment insurance benefits with an effective date of November 23, 2020.

The claimant filed for and received a total of \$112.00 in regular state unemployment insurance benefits for the weeks between July 26, 2020 and August 1, 2020.

**REASONING AND CONCLUSIONS OF LAW:**

The issue in this case is whether the claimant was overpaid regular unemployment 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.

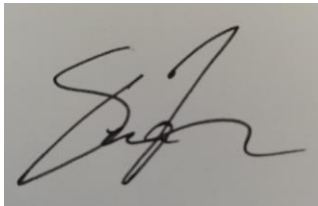
Since the decision disqualifying the claimant has been affirmed, the claimant was overpaid \$112.00 in unemployment insurance benefits.

The claimant may have to repay the benefits received thus far, unless the claimant applies and is approved for PUA, as directed in the paragraph below.

**DECISION:**

The unemployment insurance decision dated November 23, 2020, (reference 3), is affirmed. The claimant was overpaid \$112.00 in regular state unemployment insurance benefits.

**Note to Claimant:** The administrative records show the claimant paid Iowa Workforce Development \$112.00 on January 19, 2021.

A handwritten signature in black ink, appearing to read 'S. Nelson', is shown within a rectangular frame.

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

February 26, 2021  
Decision Dated and Mailed

smn/lj