

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

STEVEN D QUAM
Claimant

APPEAL NO. 12A-UI-06112-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 09/04/11
Claimant: Appellant (1)**

Section 96.3-7 – Recovery of Overpayments

STATEMENT OF THE CASE:

Steven D. Quam filed a timely appeal from an unemployment insurance decision dated May 21, 2012, reference 08, that ruled he had been overpaid emergency unemployment compensation benefits totaling \$5,100.00 for the 15 weeks ending May 5, 2012. After due notice was issued, a telephone hearing was held June 22, 2012, on a consolidated record with 12A-UI-06111-AT.

ISSUE:

Has the claimant been overpaid?

FINDINGS OF FACT:

Steven D. Quam received emergency unemployment compensation benefits totaling \$5,100.00 for the 15 weeks ending May 5, 2012. The fact-finding decision holding him ineligible for those benefits has been affirmed by the administrative law judge decision in the companion case.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3-7 requires that benefits paid in error be repaid, even if the individual who received the benefits is not at fault for the overpayment.

While the evidence in this record persuades the administrative law judge that Mr. Quam is not at fault for the overpayment, the record nevertheless establishes he received benefits that he was not entitled to receive. Therefore, the law requires that they be repaid.

DECISION:

The unemployment insurance decision dated May 21, 2012, reference 08, is affirmed. The claimant has been overpaid \$5,100.00 in emergency unemployment compensation benefits for the 15 weeks ending May 5, 2012.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw