

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DANNY W DICKERSON
Claimant

APPEAL NO: 06A-UI-10188-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 09/10/06 R: 02
Claimant: Appellant (2)**

Iowa Code section 96.3-7 – Recovery of Overpayment of Benefits

STATEMENT OF THE CASE:

Danny W. Dickerson (claimant) appealed a representative's October 19, 2006 decision (reference 02) that concluded he had been overpaid \$1,284.00 in benefits he received for the weeks ending September 16 through October 7, 2006. The overpayment occurred as the result of a representative's October 18 decision that held the claimant ineligible to receive benefits as of September 10, 2006. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on November 1, 2006. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Has the claimant been overpaid any unemployment insurance benefits during the weeks ending September 16 through October 7, 2006?

FINDINGS OF FACT:

The claimant established a claim for unemployment insurance benefits during the week of September 10, 2006. He filed claims for the weeks ending September 16 through October 7, 2006. The claimant received \$1,284.00 in benefits for these weeks.

The claimant appealed a representative's October 18, 2006 decision that determined he was not eligible to receive benefits as of September 10, 2006. This decision has been reversed. See decision for appeal number 06A-UI-10187-DWT.

REASONING AND CONCLUSIONS OF LAW:

If an individual receives benefits he is not legally entitled to receive, the Department shall recover the benefits even if the individual acted in good faith and is not at fault in receiving the overpayment. Iowa Code section 96.3-7. Based on the decision for appeal number 06A-UI-10187-DWT, the claimant is legally entitled to receive benefits for the weeks ending

September 16 through October 7, 2006. The claimant has not been overpaid \$1,284.00 in benefits he received for these weeks.

DECISION:

The representative's October 19, 2006 decision (reference 02) is reversed. The claimant is legally entitled to receive benefits for the weeks ending September 16 through October 7, 2006. The claimant has not been overpaid \$1,284.00 in benefits he received for these weeks.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs