

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

<b>RICHARD M CROTTY</b> Claimant  <b>IOWA WORKFORCE DEVELOPMENT DEPARTMENT</b>	<div>68-0157 (9-06) - 3091078 - EI</div> <div><b>APPEAL NO: 13A-UI-07179-DT</b>  <b>ADMINISTRATIVE LAW JUDGE DECISION</b></div> <div><b>OC: 01/22/12</b> <b>Claimant: Appellant (2)</b></div>
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Section 96.3-7 - Recovery of Overpayment of Benefits

**STATEMENT OF THE CASE:**

Richard M. Crotty (claimant) appealed a representative's June 12, 2013 decision (reference 03) that concluded he had been overpaid unemployment insurance benefits. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on July 30, 2013. This appeal was consolidated for hearing with one related appeal, 13A-UI-07178-DT. 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 reversing the representative's decision.

**ISSUE:**

Was the claimant overpaid unemployment insurance benefits?

**FINDINGS OF FACT:**

A representative issued a decision dated March 13, 2012 (reference 01) that concluded the claimant was disqualified from receiving benefits after a separation from employment from CRST Logistics, Inc. (employer). In the concurrently issued decision in appeal 13A-UI-07178-DT, the appeal of that decision is treated as timely and the decision has been reversed.

The overpayment decision was issued in this case as a result of the March 13, 2012 (reference 01) disqualification decision.

**REASONING AND CONCLUSIONS OF LAW:**

The issue in this case is whether the claimant is overpaid benefits of \$1,131.00.

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. In this case, the claimant received benefits for which he subsequently was deemed ineligible in the

representative's decision issued on March 13, 2012. The disqualification from that decision has been reversed in the concurrently issued decision in 13A-UI-07178-DT. Therefore, the administrative law judge concludes that the claimant was not overpaid benefits.

**DECISION:**

The representative's June 12, 2013 decision (reference 03) is reversed. The claimant is not overpaid benefits.

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Lynette A. F. Donner  
Administrative Law Judge

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Decision Dated and Mailed

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