

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**QUINN D CASEY**  
Claimant

**APPEAL 18A-UI-06289-SC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 01/07/18**  
**Claimant: Appellant (1)**

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

**STATEMENT OF THE CASE:**

Quinn D. Casey (claimant) appealed an unemployment insurance decision dated May 30, 2018, reference 04, which concluded he was overpaid \$4,550.00 in unemployment insurance benefits. A telephone hearing was held on June 25, 2018. Proper notice of the hearing was given to the claimant. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the following findings of fact, reasoning and conclusions of law, and decision are entered.

**ISSUE:**

Has the claimant been overpaid benefits?

**FINDINGS OF FACT:**

The claimant filed a new claim for unemployment insurance benefits with an effective date of January 7, 2018. The unemployment insurance decision that initially disqualified the claimant from receiving unemployment insurance benefits following his March 2018 separation was reversed in a decision of the administrative law judge (ALJ) in appeal 18A-UI-04179-NM-T and benefits were allowed. The claimant filed for and received a total of \$4,550.00 in unemployment insurance benefits for the weeks between March 11, 2018 and May 25, 2018. The employer appealed the ALJ's decision to the Employment Appeal Board (EAB) who issued a decision on May 25, 2018 reversing the ALJ's decision and denying benefits. As the claimant did not appeal the EAB's decision to district court within thirty days, the EAB's decision has become final agency action.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant was overpaid unemployment insurance benefits which must be repaid.

Iowa Code § 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. (Emphasis added)

Since the EAB has disqualified the claimant from receiving benefits and that decision has become final agency action, the claimant was overpaid \$4,550.00 in unemployment insurance benefits. The benefits must be repaid even though the claimant acted in good faith and was not otherwise at fault for the receipt of benefits.

**DECISION:**

The unemployment insurance decision dated May 30, 2018, reference 04, is affirmed. The claimant was overpaid \$4,550.00 in unemployment insurance benefits, which must be repaid.

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Stephanie R. Callahan  
Administrative Law Judge

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Decision Dated and Mailed

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