

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**BRITT O OGLE**  
Claimant

**APPEAL NO. 08A-UI-10685-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 09/07/08 R: 03  
Claimant: Appellant (2)**

Section 96.3-7 – Recovery of Overpayment

**STATEMENT OF THE CASE:**

Britt O. Ogle filed a timely appeal from an unemployment insurance decision dated November 4, 2008, reference 02, that ruled he had been overpaid unemployment insurance benefits in the gross amount of \$271.00 for the week ending September 20, 2008 because of a decision denying benefits to him upon a finding that he had incorrectly reported vacation for the week in question. After due notice was issued, a telephone hearing was held on December 3, 2008 with Mr. Ogle participating. The matter is considered on a consolidated record with 08A-UI-10684-AT.

**ISSUE:**

Has the claimant been overpaid?

**FINDINGS OF FACT:**

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: The fact-finding decision holding Mr. Ogle ineligible for unemployment insurance benefits for the week ending September 20, 2008 has been reversed by the administrative law judge's decision in the companion case.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether Mr. Ogle must repay the benefits he received for the week ending September 20, 2008. He need not do so because the decision holding him ineligible for those benefits has now been reversed.

**DECISION:**

The unemployment insurance decision dated November 4, 2008, reference 02, is reversed. The claimant has not been overpaid for the week ending September 20, 2008.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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