

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

LISA M KEELER
Claimant

APPEAL 18A-UI-10442-AW-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 09/02/18
Claimant: Appellant (1)**

Iowa Code § 96.3(7) – Overpayment

STATEMENT OF THE CASE:

Lisa Keeler, Claimant, filed an appeal from the October 11, 2018 (reference 03) unemployment insurance decision that found she was overpaid unemployment insurance benefits in the amount of \$639.00 for the three week period between September 2, 2018 and September 22, 2018. Claimant waived ten day notice of the hearing. A telephone hearing was held on October 22, 2018 at 3:05 p.m. Claimant participated. Official notice was taken of the administrative record.

ISSUE:

Whether claimant was overpaid benefits.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed for and has received unemployment benefits in the gross amount of \$639.00 since filing a claim with an effective date of September 2, 2018. The unemployment insurance decision that disqualified claimant from receiving unemployment insurance benefits has been affirmed (see 18A-UI-10072-AW-T).

REASONING AND CONCLUSIONS OF LAW:

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

Iowa Code section 96.3.7 states:

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.

Because claimant's separation was disqualifying, benefits were paid to which claimant was not entitled. The administrative law judge concludes that the claimant has been overpaid unemployment benefits in the amount of \$639.00. Those benefits must be recovered in accordance with the provisions of Iowa law.

DECISION:

The October 11, 2018 (reference 03) unemployment insurance decision is affirmed. The claimant has been overpaid unemployment insurance benefits in the amount of \$639.00, which must be repaid.

Adrienne C. Williamson
Administrative Law Judge
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Decision Dated and Mailed

acw/rvs