

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DOUGLAS C WOODFORD
Claimant

APPEAL 16A-UI-11499-SC

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 03/20/16
Claimant: Appellant (2)**

Section 96.3-7 - Recovery of Overpayment of Benefits

STATEMENT OF THE CASE:

Douglas C. Woodford (claimant) appealed an unemployment insurance decision dated October 14, 2016 (reference 04) that concluded he was overpaid \$2,155.00 in unemployment insurance benefits. A hearing was held in Davenport, Iowa on November 23, 2016. 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 reactivated his claim for unemployment insurance benefits with an effective date of September 4, 2016. The claimant filed for and received a total of \$2,155.00 in unemployment insurance benefits for the weeks between September 4 and October 8, 2016.

The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been reversed in a decision of the administrative law judge in appeal 16A-UI-11498-SC.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant was overpaid unemployment insurance benefits.

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.

Since the decision disqualifying the claimant has been reversed, the claimant was not overpaid \$2,155.00 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated October 14, 2016 (reference 04) is reversed. The claimant was not overpaid \$2,155.00 in unemployment insurance benefits.

Stephanie R. Callahan
Administrative Law Judge

Decision Dated and Mailed

src/rvs