

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

**LATASHA E JONES**  
Claimant

**APPEAL NO: 19A-UI-01267-JC-T**

**AMENDED ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 12/23/18**  
**Claimant: Appellant (4)**

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

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the February 14, 2019, (reference 04) unemployment insurance decision that concluded she was overpaid \$1,957.00 in unemployment insurance benefits. The claimant was properly notified about the hearing. A telephone hearing was held on February 28, 2019. The hearing was held jointly with Appeal 19A-UI-01266-JC-T. The claimant participated personally. Claimant Exhibit A was admitted into evidence. The administrative law judge took official notice of the administrative records including the fact-finding documents. Based on the evidence, the arguments presented, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Has the claimant been overpaid any unemployment insurance benefits?

**FINDINGS OF FACT:**

The claimant filed a new claim for unemployment insurance benefits with an effective date of December 23, 2018. The claimant filed for and received a total of \$1,957.00 in unemployment insurance benefits for the weeks between December 30, 2018 and February 11, 2019.

Specifically, the claimant received \$529.00 for the week ending January 5, 2019.

The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been modified in a decision of the administrative law judge in appeal 19A-UI-01266-JC-T. In that decision, the administrative law judge concluded the claimant was ineligible for benefits because she was not able to and available for work for the week ending January 5, 2019.

**REASONING AND CONCLUSIONS OF LAW:**

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

Iowa Code section 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 modified, concluding the claimant was ineligible for benefits for the weeks ending January 5, 2019, the claimant was overpaid **\$529.00** in unemployment insurance benefits.

**DECISION:**

The unemployment insurance decision dated February 14, 2019, (reference 04), is modified in favor of the claimant/appellant. The claimant was overpaid benefits in the amount of **\$529.00** (not \$1,957.00) in unemployment insurance benefits. These benefits must be repaid.

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Jennifer L. Beckman  
Administrative Law Judge

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Decision Dated and Mailed

jlb/scn