

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MICHELLE R LACOURSE
Claimant

APPEAL NO. 12A-UI-03624-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 11/06/11
Claimant: Appellant (1)**

Section 96.3-7 – Recovery of Overpayments

STATEMENT OF THE CASE:

Michelle R. LaCourse filed a timely appeal from an unemployment insurance decision dated March 26, 2012, reference 02, that ruled she had been overpaid unemployment insurance benefits totaling \$1,425.00 for the six weeks ending December 10, 2011. After due notice was issued, a telephone hearing was held April 24, 2012 with Ms. LaCourse participating. Documents submitted by the claimant prior to the hearing were admitted into the record as Exhibit A.

ISSUE:

Was the claimant overpaid for the six weeks ending December 10, 2011?

FINDINGS OF FACT:

Michelle R. LaCourse received unemployment insurance benefits totaling \$1,425.00 for the six weeks ending December 10, 2011. A fact-finding decision dated December 14, 2011 disqualified Ms. LaCourse from receiving benefits following her separation from employment with Team Staffing Solutions, Inc. That decision was affirmed by an administrative law judge decision on January 24, 2012 and by an Employment Appeal Board decision dated March 12, 2012. The Board's decision has not been reversed.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3-7 requires that unemployment insurance benefits paid in error be repaid. The evidence in this record establishes that Ms. LaCourse received benefits for the six weeks ending December 10, 2011 and that the fact-finding decision disqualifying her for benefits has been affirmed by an administrative law judge and an Employment Appeal Board decision. This administrative law judge has no authority to consider whether those decisions are accurate. Based on this record, the overpayment must be affirmed.

DECISION:

The unemployment insurance decision dated March 26, 2012, reference 02, is affirmed. The claimant has been overpaid \$1,425.00 in benefits for the six weeks ending December 10, 2011.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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