

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JOSEPH F HOLLINGER
Claimant

APPEAL 21A-UI-09290-SC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 12/27/20
Claimant: Appellant (1)

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

STATEMENT OF THE CASE:

On March 25, 2021, Joseph F. Hollinger (claimant) appealed an unemployment insurance decision dated March 15, 2021, reference 03, that concluded he was overpaid \$2,465 in regular unemployment insurance benefits. After due notice was issued, a hearing was held on June 17, 2021, and consolidated with the hearing for appeal 21A-UI-09289-SC-T. The claimant participated personally. The department's Exhibits D1 and D2 were admitted into the record.

ISSUE:

Has the claimant been overpaid benefits?

FINDINGS OF FACT:

The claimant filed a new claim for unemployment insurance benefits with an effective date of December 27, 2020. The claimant filed for and received a total of \$2,465.00 in regular unemployment insurance benefits five weeks between December 27 and February 6, 2021.

The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been affirmed in a decision of the administrative law judge in appeal 21A-UI-09289-SC-T.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes 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 affirmed, the claimant was overpaid \$2,465 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated March 15, 2021, reference 03, is affirmed. The claimant was overpaid \$2,465.00 in regular unemployment insurance benefits.



Stephanie R. Callahan
Administrative Law Judge

June 30, 2021
Decision Dated and Mailed

src/ol