

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JODI PATTERSON
Claimant

APPEAL 22A-UI-09520-DB-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 03/29/20
Claimant: Appellant (1)

Iowa Code § 96.3(7) – Overpayment of Benefits

STATEMENT OF THE CASE:

The claimant/appellant filed an appeal from the April 5, 2022 (reference 03) unemployment insurance decision that found claimant was overpaid regular unemployment insurance benefits in the amount of \$6,804.00 for the weeks between March 29, 2020 and July 11, 2020. The claimant was properly notified of the hearing. A telephone hearing was held on June 21, 2022. The claimant participated personally. The administrative law judge took administrative notice of the claimant's unemployment insurance benefits records. The hearing was consolidated with Appeal No. 22A-UI-09521-DB-T.

ISSUE:

Is the claimant overpaid regular unemployment insurance benefits?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed for unemployment insurance benefits effective March 29, 2020. Between March 29, 2020 and July 11, 2020 the claimant was paid regular unemployment insurance benefits of \$6,804.00. She was also paid FPUC benefits of \$9,000.00 during those same weeks.

Two unemployment insurance decisions were issued on July 17, 2020 (reference 01 and 02) regarding employers Open Arms Hoe Health Care LLC and Evergreen Real Estate finding that the claimant was not eligible for regular unemployment insurance benefits due to her not being able to and available for work effective March 29, 2020. Both denial decisions were affirmed in Appeal Nos. 20A-UI-08557-DG-T and 20A-UI-08559-DG-T. No further appeal was filed by the claimant to have those denial decisions reversed. No application for PUA benefits was filed by the claimant.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes as follows:

Iowa Code § 96.3(7)a provides:

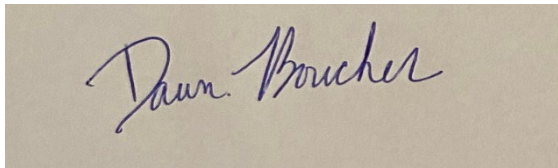
7. Recovery of overpayment of benefits.

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.

In this case, the claimant was paid regular unemployment insurance benefits but was later determined to be ineligible for those benefits due to decisions finding that she was not able to and available for work. As such, the claimant is overpaid regular unemployment insurance benefits of \$6,804.00 for the weeks between March 29, 2020 and July 11, 2020.

DECISION:

The April 5, 2022 (reference 03) unemployment insurance decision is affirmed. The claimant was overpaid regular unemployment insurance benefits in the amount of \$6,804.00 for the weeks between March 29, 2020 and July 11, 2020. Those benefits must be repaid to the agency.

A rectangular area containing a handwritten signature in blue ink that reads "Dawn Boucher".

Dawn Boucher
Administrative Law Judge

June 23, 2022
Decision Dated and Mailed

db/db