

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DEBRA K RANKIN
Claimant

APPEAL 22A-UI-08451-CS-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 04/04/21
Claimant: Appellant (1)**

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

STATEMENT OF THE CASE:

On April 4, 2022, the claimant/appellant filed an appeal from the March 25, 2022, (reference 02) unemployment insurance decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$1,098.00 as a result of a disqualification decision. The appellant was properly notified of the hearing. A telephone hearing was held on May 18, 2022. The hearing was held together with appeals 22A-UI-08449-CS-T and 22A-UI-08453-CS-T, and combined into one record. The claimant participated. Administrative notice was taken of the claimant's unemployment insurance benefits records.

ISSUE:

Was the claimant overpaid benefits which must be repaid?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant filed a new claim for unemployment insurance benefits with an effective date of April 4, 2021. The claimant filed for and received a total of \$1,098.00 in state unemployment insurance benefits for the weeks between April 10, 2021 and April 24, 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 22A-UI-08449-CS-T.

After claimant was denied state unemployment benefits claimant was paid out federal Pandemic Emergency Unemployment Compensation (PEUC) benefits. Claimant was not issued the April 10, 2021, April 17, 2021, and April 24, 2021, PEUC benefits until March 25, 2022.

Claimant has now been paid state unemployment benefits and PEUC benefits for the weeks of April 10, 2021, April 17, 2021, and April 24, 2021. As a result, claimant has received double payments and received a total of \$2,388.00 in benefits for these three weeks. Claimant was only

entitled to receive a total gross of \$1,290.00 in PEUC benefits for the weeks ending April 10, 2021, April 17, 2021, and April 24, 2021.

REASONING AND CONCLUSIONS OF LAW:

For the reasons stated below the administrative law judge finds 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 \$1,098.00 in state unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated March 25, 2022 (reference 02), is affirmed. The claimant was overpaid \$1,098.00 in unemployment insurance benefits, which must be repaid.



Carly Smith
Administrative Law Judge

June 15, 2022
Decision Dated and Mailed

cs/kmj

NOTE TO CLAIMANT: This decision determines you are not eligible for regular unemployment insurance benefits. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision.

