

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI	
DEVAN J WORTHINGTON Claimant	APPEAL NO. 15A-UI-08069-JTT
IOWA WORKFORCE DEVELOPMENT DEPARTMENT	ADMINISTRATIVE LAW JUDGE DECISION
	OC: 06/14/15 Claimant: Appellant (1)

Iowa Code Section 96.3(7) - Overpayment

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the July 10, 2015, reference 04, decision that she was overpaid \$1,038.00 in benefits for the three weeks between June 14, 2015 and July 4, 2015, based on an earlier decision that disqualified her for benefits in connection with a discharge from employer Cibo, Inc. After due notice was issued, a hearing was held on August 12, 2015. The claimant participated. The hearing in this matter was consolidated with the hearing in Appeal Number 15A-UI-08068-JTT. The administrative law judge took official notice of the Agency's administrative record of benefits disbursed to the claimant.

ISSUE:

Whether the claimant was overpaid \$1,038.00 in benefits for the three weeks between June 14, 2015 and July 4, 2015.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant established a claim that was effective June 14, 2015 and received \$1,038.00 in benefits for the three weeks between June 14, 2015 and July 4, 2015. On July 9, 2015, a Workforce Development claims deputy entered a reference 02 decision that disqualified the claimant for benefits in connection with a June 15, 2015 discharge from employer Cibo, Inc. The reference 02 decision prompted the overpayment decision from which the claimant appeals in this matter. The reference 02 disqualification decision has been affirmed in appeal number 15A-UI-08068-JTT.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3(7) provides that if a claimant receives benefits and is deemed ineligible for benefits, the claimant must repay the benefits and Workforce Development must recover the benefits, even if the claimant was not at fault in receiving the benefits. Because the claimant received benefits and has been disqualified for benefits, the benefits that the claimant received constitute an overpayment that the claimant must repay. The claimant was overpaid \$1,038.00

in benefits for the three weeks between June 14, 2015 and July 4, 2015. The claimant must repay that amount.

DECISION:

The July 10, 2015, reference 04, decision is affirmed. The claimant was overpaid \$1,038.00 in benefits for the three weeks between June 14, 2015 and July 4, 2015. The claimant must repay those benefits.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

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