

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ELIZABETH R WOOD
Claimant

APPEAL NO. 17A-UI-03976-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 10/16/16
Claimant: Appellant (2)

Iowa Code Section 96.3(7) - Overpayment

STATEMENT OF THE CASE:

Elizabeth Wood filed a timely appeal from the April 3, 2017, reference 05, decision that held she was overpaid \$400.00 in benefits for the week of March 12-18, 2017, based on an earlier decision disqualified her for benefits for refusing an offer of work from Crown Point Builders. After due notice was issued, a hearing was held on April 21, 2017. Ms. Wood participated. The hearing in this matter was consolidated with the hearing in Appeal Number 17A-UI-03472-JTT. Exhibit A was received into evidence. The administrative law judge took official notice of the following agency administrative records: DBRO and KCCO.

ISSUE:

Whether Ms. Wood was overpaid \$400.00 in benefits for the week of March 12-18, 2017.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Elizabeth Wood established an original claim for benefits that was effective October 16, 2016 and an additional claim for benefits that was deemed effective January 29, 2017. In connection with the additional claim Ms. Wood received benefits that included \$400.00 in benefits for the week that ended March 18, 2017. On March 24, 2017, a Workforce Development claims deputy entered a reference 04 decision that disqualified Ms. Wood for benefits in connection with a March 8, 2017 work refusal. The reference 04 decision prompted the overpayment decision from which the Ms. Wood appeals in the present matter. The March 24, 2017, reference 04, decision has been reversed on appeal in Appeal Number 17A-UI-03472-JTT to allow benefits to Ms. Wood provided she is otherwise eligible.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3(7) provides that if a claimant receives benefits and is deemed ineligible for the benefits, Workforce Development must recovery the benefits and the claimant must repay the benefits, even if the claimant was not at fault in receiving the benefits.

Because the disqualification decision that prompted the overpayment decision has been reversed on appeal, the administrative law judge concludes that Ms. Wood was not overpaid \$400.00 in benefits for the week that ended March 18, 2017.

DECISION:

The April 3, 2017, reference 05, decision is reversed. The claimant was not overpaid \$400.00 in benefits for the week that ended March 18, 2017.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs