

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**AUSTIN REGENOLD**  
Claimant

**HOOGLAND FOODS LLC**  
Employer

**APPEAL 21A-UI-18830-ED-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 05/17/20**  
**Claimant: Appellant (2)**

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

**STATEMENT OF THE CASE:**

Claimant filed an appeal from the October 8, 2020 (reference 04) unemployment insurance decision that found claimant was overpaid regular unemployment insurance (UI) benefits. Claimant was properly notified of the hearing. A telephone hearing was held on October 19, 2021, at 11:05 a.m. Claimant participated. No exhibits were admitted. Official notice was taken of the administrative record.

**ISSUE:**

Whether claimant is overpaid UI.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed for and has received UI in the gross amount of \$2,927.00 for the 17-week period between May 17, 2020 and September 12, 2020. The unemployment insurance decision that disqualified claimant from receiving unemployment insurance benefits (and resulted in the overpayment) has been reversed (see 21A-UI-18829-ED-T).

**REASONING AND CONCLUSIONS OF LAW:**

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

Iowa Code section 96.3(7) states:

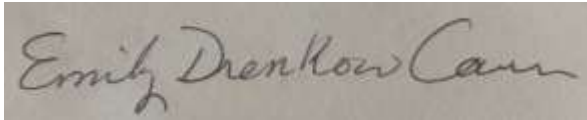
*7. Recovery of overpayment of benefits.*

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.

Because claimant's separation was disqualifying, benefits were paid to which claimant was entitled. The administrative law judge concludes that the claimant has not been overpaid UI in the amount of \$2,927.00 for the 17-week period between May 17, 2020 and September 12, 2020. Those benefits do not need to be repaid in accordance with Iowa law.

**DECISION:**

The August 20, 2021 (reference 04) unemployment insurance decision is reversed. Claimant has not been overpaid regular unemployment insurance benefits in the amount of \$2,927.00 for the 17-week period between May 17, 2020 and September 12, 2020. The benefits do not need to be repaid.

A handwritten signature in cursive script, reading "Emily Drenkow Carr", written in dark ink on a light-colored background.

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Emily Drenkow Carr  
Administrative Law Judge

October 28, 2021  
Decision Dated and Mailed

ed/ol