

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DOUGLAS S MEYER
Claimant

APPEAL 19A-UI-09390-SC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 08/18/19
Claimant: Appellant (2)**

Iowa Code § 96.4(3) – Ability to and Availability for Work
Iowa Admin. Code r. 871-24.22 – Able & Available - Benefits Eligibility Conditions

STATEMENT OF THE CASE:

On November 26, 2019, Douglas S. Meyer (claimant) appealed an unemployment insurance decision dated November 26, 2019, reference 03, that concluded he was overpaid \$500.00 in unemployment insurance benefits. After due notice was issued, a telephone conference hearing was held on December 19, 2019 and consolidated with the hearings for appeals 19A-UI-09388-SC-T and 19A-UI-09389-SC-T. The claimant participated. No exhibits were offered into the record.

ISSUE:

Has the claimant been overpaid benefits?

FINDINGS OF FACT:

The claimant filed a new claim for unemployment insurance benefits with an effective date of August 18, 2019. The claimant filed for and received a total of \$500.00 in unemployment insurance benefits for the week ending November 2, 2019. The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been reversed in a decision of the administrative law judge in appeal 19A-UI-09388-SC-T.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant was not 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 reversed, the claimant was not overpaid \$500.00 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated November 26, 2019, reference 03, is reversed. The claimant was not overpaid \$500.00 in unemployment insurance benefits.



Stephanie R. Callahan
Administrative Law Judge

December 24, 2019
Decision Dated and Mailed

src/scn