

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

CHUNYANG WANG
Claimant

APPEAL 21A-UI-11898-JD-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 03/29/20
Claimant: Appellant (1)**

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

STATEMENT OF THE CASE:

The claimant, Chunyang Wang, filed an appeal from the April 14, 2021, (reference 02) unemployment insurance decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$2,016.00 as a result of a disqualification decision. The parties were properly notified of the hearing. A telephone hearing was held on July 19, 2021. The claimant Chunyang Wang participated and was represented by attorney Stuart Higgins.

ISSUE:

Is 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 March 29, 2020. The claimant filed for and received a total of \$2,016.00 in unemployment insurance benefits for the weeks between March 29, 2020 and August 1, 2020.

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 21A-UI-03625-SC-T. This decision was affirmed by the Employment Appeal Board in 21B-UI-03625-EAB.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant was overpaid unemployment insurance benefits.

Iowa Code § 96.3(7) provides, in pertinent part:

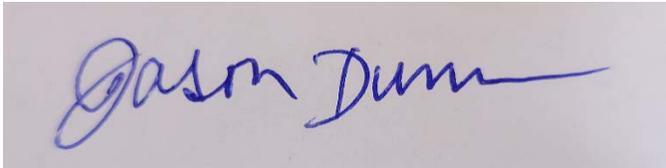
7. Recovery of overpayment of benefits.

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 \$2,016.00 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated April 14, 2021 (reference 02), is affirmed. The claimant was overpaid \$2,016.00 in unemployment insurance benefits, which must be repaid.



Jason Dunn
Administrative Law Judge
Unemployment Insurance Appeals Bureau
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Des Moines, Iowa 50319-0209
Fax (515) 478-3528

July 30, 2021
Decision Dated and Mailed

jd/scn