

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

GREGORY W CASADY
Claimant

APPEAL NO. 09A-UI-16804-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**Original Claim: 06/21/09
Claimant: Appellant (2)**

Section 96.3-7 - Overpayment of Benefits

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated October 28, 2009, reference 02, that concluded he was overpaid \$900.00 in unemployment insurance benefits. A telephone hearing was held on November 9, 2009. The claimant participated in the hearing with his attorney, Joe Basque.

ISSUE:

Was the claimant overpaid unemployment insurance benefits?

FINDINGS OF FACT:

The claimant filed a new claim for unemployment insurance benefits with an effective date of June 21, 2009. The claimant filed for and received a total of \$900.00 in unemployment insurance benefits for the weeks between June 21 and August 15, 2009.

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 09A-UI-12755-SWT.

REASONING AND CONCLUSIONS OF LAW:

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

The unemployment insurance law provides that benefits must be recovered from a claimant who receives benefits and is later determined to be ineligible for benefits, even though the claimant acted in good faith and was not otherwise at fault. Iowa Code § 96.3-7.

Since the decision disqualifying the claimant has been reversed, the claimant was not overpaid \$900.00 in unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated October 28, 2009, reference 02, is reversed. The claimant was not overpaid \$900.00 in unemployment insurance benefits.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/kjw