

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

MEGAN SCHOOLEY
Claimant

APPEAL 21A-UI-18606-DB-T
ADMINISTRATIVE LAW JUDGE
DECISION

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 03/21/21
Claimant: Appellant (1)

Iowa Code § 96.3(7) – Overpayment of Benefits

STATEMENT OF THE CASE:

The claimant/appellant filed an appeal from the August 16, 2021 (reference 02) unemployment insurance decision that found claimant was overpaid regular unemployment benefits funded by the State of Iowa in the amount of \$1,734.00 for seven weeks between March 21, 2021 and May 15, 2021. The claimant was properly notified of the hearing. A telephone hearing was held on October 15, 2021. The claimant participated personally. The administrative law judge took administrative notice of the claimant's unemployment insurance benefits records. The hearing was consolidated with Appeal No. 21A-UI-18605-DB-T and 21A-UI-18607-DB-T.

ISSUE:

Is the claimant overpaid regular unemployment insurance benefits funded by the State of Iowa from March 21, 2021 through May 15, 2021?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed an original claim for regular unemployment insurance benefits funded by the State of Iowa with an effective date of March 21, 2021. She was paid regular unemployment insurance benefits funded by the State of Iowa from March 21, 2021 through May 15, 2021 in the amount of \$1,734.00.

Iowa Workforce Development issued a decision dated June 9, 2021 (reference 01) which found that the claimant was not eligible for regular unemployment insurance benefits funded by the State of Iowa effective March 21, 2021 as she was still employed at the same capacity with Catholic Health Initiatives. That decision was appealed and the denial of benefits decision was affirmed in Appeal No. 21A-UI18605-DB-T.

Claimant filed an application for Federal Pandemic Unemployment Assistance (PUA) benefits and a decision finding that she was eligible for Federal PUA benefits was issued on July 22, 2021. The PUA allowance decision found that she was eligible for a weekly PUA benefit amount of \$203.00 effective March 21, 2021.

REASONING AND CONCLUSIONS OF LAW:

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

Iowa Code § 96.3(7)a provides:

7. Recovery of overpayment of benefits.

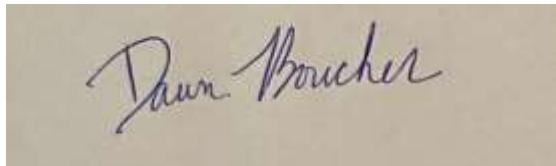
a. If an individual receives benefits for which the individual is subsequently determined to be ineligible, **even though the individual acts in good faith and is not otherwise at fault**, the benefits shall be recovered. The department in its discretion may recover the overpayment of benefits either 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.

(emphasis added).

In this case, the claimant received regular unemployment insurance benefits funded by the State of Iowa from March 21, 2021 through May 15, 2021 but was later determined not to be eligible for those benefits due to a disqualifying decision issued on June 9, 2021 (reference 01). That decision was affirmed in Appeal No. 21A-UI-18605-DB-T. As such, even though the claimant may have acted in good faith and was not otherwise at fault, she has still been overpaid regular unemployment insurance benefits funded by the State of Iowa in the amount of \$1,734.00 for seven weeks between March 21, 2021 and May 15, 2021.

DECISION:

The August 16, 2021 (reference 02) unemployment insurance decision is affirmed. The claimant was overpaid regular unemployment insurance benefits funded by the State of Iowa in the amount of \$1,734.00 for seven weeks between March 21, 2021 and May 15, 2021.

A handwritten signature in blue ink that reads "Dawn Boucher". The signature is written in a cursive style and is positioned above a horizontal line.

Dawn Boucher
Administrative Law Judge

October 22, 2021
Decision Dated and Mailed

db/ol