

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JOSE C MINCHOCA**  
Claimant

**APPEAL NO. 13A-UI-11529-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 05/05/13**  
**Claimant: Appellant (2)**

Section 96.5-2-a – Discharge

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated October 3, 2013, reference 05, that concluded he was overpaid benefits. A telephone hearing was held on November 5, 2013. The claimant participated in the hearing.

**ISSUE:**

Was the claimant overpaid unemployment insurance benefits?

**FINDINGS OF FACT:**

The claimant filed for and received a total of \$5,197.57 in unemployment insurance benefits for the weeks between May 5 and September 7, 2013.

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 13A-UI-11528-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 \$5,197.57 in unemployment insurance benefits.

**DECISION:**

The unemployment insurance decision dated October 3, 2013, reference 05, is reversed. The claimant was not overpaid \$5,197.57 in unemployment insurance benefits.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/pjs