

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**ROBERT J DECKER**  
Claimant

**APPEAL 19A-UI-00542-SC-T**  
**ADMINISTRATIVE LAW JUDGE**  
**DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 01/14/18**  
**Claimant: Appellant (2)**

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

**STATEMENT OF THE CASE:**

Robert J. Decker (claimant) appealed an unemployment insurance decision dated January 11, 2019, reference 06, that concluded he was overpaid \$473.00 in unemployment insurance benefits. After due notice was issued, a telephone conference hearing was scheduled to be held on February 4, 2019 and consolidated with the hearing for appeal 19A-UI-00541-SC-T. The claimant's appeal letter and the administrative record were sufficient to resolve the issue and no hearing was held.

**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 January 14, 2018. The claimant filed for and received a total of \$473.00 in unemployment insurance benefits for the week ending December 22, 2018. The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits due to a failure to make an adequate job search has been reversed in a decision of the administrative law judge in appeal 19A-UI-00541-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 \$473.00 in unemployment insurance benefits.

**DECISION:**

The unemployment insurance decision dated January 11, 2019, reference 06, is reversed. The claimant was not overpaid \$473.00 in unemployment insurance benefits. Any benefits claimed and withheld on this basis shall be paid to the claimant.

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Stephanie R. Callahan  
Administrative Law Judge

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Decision Dated and Mailed

src/scn