

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

KIRSTEN L MEYER
Claimant

APPEAL NO. 21A-UI-08828-AD-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 06/21/20
Claimant: Appellant (1)

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

STATEMENT OF THE CASE:

On March 25, 2021, Kirsten Meyer (claimant/appellant) appealed the March 22, 2021 (reference 04) decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$2,058.00 for the six-week period between June 21 and August 1, 2020. This determination was the result of a decision dated October 22, 2020, which determined she was not able and available for work during that period.

A telephone hearing was held on June 14, 2021, pursuant to due notice. Claimant participated personally. The administrative law judge took official notice of the administrative record.

ISSUE:

Was the claimant overpaid regular, state unemployment insurance benefits?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

The unemployment insurance system shows claimant received weekly benefits in the amount of \$343.00 for a total of thirteen weeks, from the benefit week ending June 27, 2020 and continuing through the benefit week ending September 19, 2020. The total amount of benefits paid to date is \$4,459.00.

Claimant was subsequently determined to be ineligible for benefits from June 21 through August 1, 2020, in a decision dated October 22, 2020. That decision remains in force. See 20A-UI-10717-JT-T. The total amount of benefits paid during that period is \$2,058.00.

REASONING AND CONCLUSIONS OF LAW:

For the reasons set forth below, the March 22, 2021 (reference 04) decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$2,058.00 for the six-week period between June 21 and August 1, 2020 is **AFFIRMED**.

Iowa Code section 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.

b. (1) (a) If the department determines that an overpayment has been made, the charge for the overpayment against the employer's account shall be removed and the account shall be credited with an amount equal to the overpayment from the unemployment compensation trust fund and this credit shall include both contributory and reimbursable employers, notwithstanding section 96.8, subsection 5.

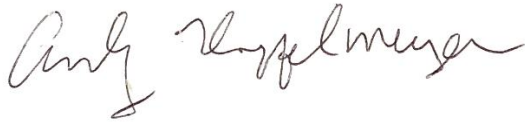
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Because claimant received benefits in the amount of \$2,058.00 for which she was subsequently deemed to be ineligible, she has been overpaid in that amount.

DECISION:

The March 22, 2021 (reference 04) decision that concluded the claimant was overpaid unemployment insurance benefits in the amount of \$2,058.00 for the six-week period between June 21 and August 1, 2020 is AFFIRMED.



Andrew B. Duffelmeyer
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515) 478-3528

June 30, 2021
Decision Dated and Mailed

abd/lj

Note to Claimant:

If you disagree with this decision, you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision.

Individuals who are disqualified from or are otherwise ineligible for **regular** unemployment insurance benefits but who are unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.