

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**FRANCIS E SNOWDEN**  
Claimant

**APPEAL NO: 14A-UI-07425-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 12/29/13**  
**Claimant: Appellant (1)**

Iowa Code § 96.3(7) – Overpayment of Benefits

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's July 16, 2014 determination (reference 05) that held him overpaid \$256 in benefits he received for the weeks ending May 17 and 24, 2014. The overpayment occurred because a July 15 determination disqualified him from receiving benefits for voluntarily quitting his employment. The claimant participated at the August 28 hearing. Based on the evidence, the claimant's arguments, and the law, the administrative law judge concludes the claimant has been overpaid because he was not able to or available for work these weeks.

**ISSUE:**

Has the claimant been overpaid benefits he received for the weeks ending May 17 and 24, 2014?

**FINDINGS OF FACT:**

The claimant reopened his claim for benefits during the week of May 11, 2014. He filed claims for the weeks ending May 17 and 24, 2014. He received his maximum weekly benefit amount of \$128 for each of these weeks.

The claimant appealed a July 15 determination that disqualified him from receiving benefits because he voluntarily quit his employment for reasons that do not qualify him to receive benefits. Based on the decision for appeal 14A-UI-07424-DWT, the claimant is not eligible to receive benefits because he was not able to and available for work as of May 11, 2014.

**REASONING AND CONCLUSIONS OF LAW:**

If an individual receives benefits he is not legally entitled to receive, the Department shall recover the benefits even if the individual acted in good faith and is not at fault in receiving the overpayment. Iowa Code § 96.3(7). Based on the decision for appeal 14A-UI-07424-DWT, the claimant is not legally entitled to receive benefits as of May 11, 2014. The claimant has been overpaid \$256 in benefits he received for the weeks ending May 17 and 24, 2014.

**DECISION:**

The representative's July 16, 2014 determination (reference 05) is affirmed. The claimant has been overpaid \$256 in benefits he received for the weeks ending May 17 and 24, 2014.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/pjs