

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

RASHEDA JAMISON
Claimant

APPEAL 18A-UI-00200-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 10/01/17
Claimant: Appellant (1)**

42 USC 503(G)1 – Withholding under an Inter-State Agreement
20 CFR 616.8(e) -- Repayment

STATEMENT OF THE CASE:

Claimant filed a timely appeal from the December 19, 2017, (reference 02) decision that notified her that any unemployment benefits she received would be sent to the state of Illinois. After due notice was issued, a hearing was held by telephone conference call on January 30, 2018. Claimant participated. Official notice was taken of agency documents.

ISSUE:

Can the claimant's Iowa benefits be withheld and transferred to the State of Illinois?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant has an overpayment due to the state of Illinois in the amount of \$\$3,480.00 due to a finding she was not eligible for benefits. The claimant has an Iowa claim with an effective date of October 1, 2017.

Iowa and Illinois have an inter-state agreement for recovery of benefits.

REASONING AND CONCLUSIONS OF LAW

The claimant is overpaid unemployment benefits in Illinois which has requested the recovery of those benefits from Iowa. Under 20 CFR 616.8(E) and 42 USC 503.G(1) the request was properly made for an interstate recovery of benefits and the claimant's benefits shall be withheld to offset the overpayment.

20 CFR 616.8(E) provides in relevant part:

(e) Recovery of prior overpayments. If there is an overpayment outstanding in a transferring State and such transferring State so requests, the overpayment shall be deducted from any benefits the paying State would otherwise pay to the claimant on his/her Combined-Wage Claim except to the extent prohibited by the law of the paying State. The paying State shall transmit

the amount deducted to the transferring State or credit the deduction against the transferring State's required reimbursement under this arrangement. This paragraph shall apply to overpayments only if the transferring State certifies to the paying State that the determination of overpayment was made within 3 years before the Combined-Wage Claim was filed and that repayment by the claimant is legally required and enforceable against him/her under the law of the transferring State.

The state of Illinois has met the above requirements. Claimant's unemployment insurance benefits shall be transferred to the state of Illinois.

DECISION:

The representative's decision dated December 19, 2017, (reference 02), is affirmed. The claimant's unemployment benefits may be withheld in order to offset the overpayment of unemployment benefit in Illinois.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/rvs