

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**JEFFREY D MURPHY**  
Claimant

**APPEAL 19A-UI-01887-SC-T**  
**ADMINISTRATIVE LAW JUDGE**  
**DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 01/06/19**  
**Claimant: Appellant (2)**

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

**STATEMENT OF THE CASE:**

Jeffrey D. Murphy (claimant) appealed the February 26, 2019, reference 02, unemployment insurance decision that found he was overpaid \$345.00 in unemployment insurance benefits. After due notice was issued on an appeal hearing regarding the denial of benefits, a telephone conference hearing was held on March 4, 2019 for appeal 19A-UI-01411-SC-T. During the hearing, the claimant waived notice on the issue of overpayment and the appeals were consolidated into one hearing. No exhibits were offered into the record.

**ISSUE:**

Has the claimant been overpaid unemployment insurance benefits?

**FINDINGS OF FACT:**

The claimant filed a new claim for unemployment insurance benefits with an effective date of January 6, 2019. The claimant filed for and received a total of \$345.00 in unemployment insurance benefits for the week ending February 9, 2019. 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 19A-UI-01411-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 \$345.00 in unemployment insurance benefits.

**DECISION:**

The unemployment insurance decision dated February 26, 2019, reference 02, is reversed. The claimant was not overpaid \$345.00 in unemployment insurance benefits. Any benefits the claimant has repaid as a result of the unemployment insurance decision shall be refunded.

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Stephanie R. Callahan  
Administrative Law Judge

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Decision Dated and Mailed

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