

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

BRENDA PIETRZYCKI
Claimant

APPEAL NO: 21A-UI-09179-SN-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 04/26/20
Claimant: Appellant (1)

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

STATEMENT OF THE CASE:

The claimant filed an appeal from the March 18, 2021, (reference 3) unemployment insurance decision that concluded she was overpaid \$2,559.00 in regular unemployment insurance benefits. After proper notice, a telephone hearing was conducted on June 16, 2021. The hearing was held jointly with 21A-UI-09178-SN-T. The claimant participated. Official notice of the administrative records was taken.

ISSUES:

Has the claimant been overpaid any unemployment insurance benefits?

FINDINGS OF FACT:

The claimant filed a new claim for unemployment insurance benefits with an effective date of April 26, 2020.

The claimant filed for and received a total of \$2,559.00 in regular, state unemployment insurance benefits for the weeks between April 26, 2020 and July 18, 2020.

The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been affirmed in a decision of the administrative law judge in appeal 21A-UI-09178-SN-T.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant was overpaid regular unemployment insurance benefits.

Iowa Code section 96.3(7) provides, in pertinent part:

7. Recovery of overpayment of benefits.

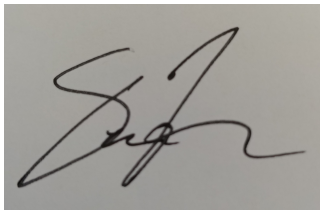
a. If an individual receives benefits for which the individual is subsequently determined to be ineligible, even though the individual acts in good faith and is not otherwise at fault, the benefits shall be recovered. The department in its discretion may recover the overpayment of benefits either by 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.

Since the decision disqualifying the claimant has been affirmed, the claimant was overpaid \$2,559.00 in unemployment insurance benefits.

The claimant may have to repay the benefits received thus far, unless the claimant applies and is approved for PUA, as directed in the paragraph below.

DECISION:

The unemployment insurance decision dated March 18, 2021, (reference 3), is affirmed. The claimant was overpaid \$2,559.00 in regular, state unemployment insurance benefits.

A handwritten signature in black ink, appearing to read 'S. Nelson', is written over a light gray rectangular background.

Sean M. Nelson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515) 725-9067

June 30, 2021
Decision Dated and Mailed

smn/kmj