

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JESSICA M BRANIGER**  
Claimant

**APPEAL NO. 11A-EUCU-00611-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 05/31/09**  
**Claimant: Appellant (1)**

Section 96.3-7 – Recovery of Overpayments

**STATEMENT OF THE CASE:**

Jessica M. Braniger filed a timely appeal from an unemployment insurance decision dated July 14, 2011, reference 06, that ruled she had been overpaid Emergency Unemployment Compensation benefits for the seven weeks ending January 29, 2011 because of a fact-finding decision dated July 11, 2011 that ruled she was monetarily eligible for state unemployment insurance benefits through Michigan as of that date. After due notice was issued, a telephone hearing was held on August 17, 2011 with Ms. Braniger participating. This matter is considered on a consolidated record with appeals 11A-EUCU-00614-AT, 11A-EUCU-00612-AT, and 11A-EUCU-00613-AT.

**ISSUE:**

Has the claimant been overpaid for the seven weeks ending January 29, 2011?

**FINDINGS OF FACT:**

Jessica M. Braniger received Emergency Unemployment Compensation through Iowa for the seven weeks ending January 29, 2011. The fact-finding decision holding her ineligible for those benefits has been affirmed by the administrative law judge's decision 11A-EUCU-00614-AT.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code § 96.3-7 requires that unemployment insurance benefits paid in error be repaid to the agency, even if the individual who has received the benefits is not at fault for the overpayment. The evidence in this record establishes that Ms. Braniger received the benefits in question and that the fact-finding decision holding her ineligible for the benefits has been affirmed. Therefore, the benefits must be repaid.

**DECISION:**

The unemployment insurance decision dated July 14, 2011, reference 06, is affirmed. The claimant has been overpaid \$2,448.85 in benefits for the seven weeks ending January 29, 2011.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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