

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**HEATHER A CORIO RAYMUNDO**  
Claimant

**APPEAL 21A-UI-24036-AW-T**  
**ADMINISTRATIVE LAW JUDGE**  
**DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 03/29/20**  
**Claimant: Appellant (4R)**

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

**STATEMENT OF THE CASE:**

Claimant filed an appeal from the October 22, 2021 (reference 02) unemployment insurance decision that found claimant was overpaid regular unemployment insurance (UI) benefits. Claimant was properly notified of the hearing. A telephone hearing was held on December 21, 2021. Claimant participated. No exhibits were admitted. Official notice was taken of the administrative record.

**ISSUE:**

Whether claimant is overpaid UI benefits.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds:

Iowa Workforce Development issued a decision on October 22, 2021 (reference 02) that found claimant was overpaid UI benefits in the gross amount of \$6,104.94 for the 26-week period between March 29, 2020 and September 26, 2020.

Claimant filed for and has received UI benefits in the gross amount of \$5,861.94 for the 25-week period between March 29, 2020 and September 19, 2020. Claimant received Pandemic Emergency Unemployment Compensation (PEUC) for the week ending September 26, 2020. No decision has been issued regarding whether claimant has been overpaid PEUC.

On October 6, 2020, Iowa Workforce Development (IWD) issued a decision (reference 01) that denied claimant UI benefits. That decision has been affirmed (see appeal 21A-UI-24035-AW-T).

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes:

Iowa Code section 96.3(7) states:

*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.

The decision that denied claimant UI benefits remains in effect. Therefore, claimant has received UI benefits to which claimant was not entitled. The administrative law judge concludes that claimant has been overpaid UI benefits in the amount of \$5,861.94 for the 25-week period between March 29, 2020 and September 19, 2020. Those benefits must be recovered in accordance with Iowa law.

**DECISION:**

The October 22, 2021 (reference 02) unemployment insurance decision is modified in favor of appellant. Claimant has been overpaid UI benefits in the amount of \$5,861.94, which must be repaid.

**REMAND:**

The issue of whether claimant has been overpaid PEUC is remanded to the Benefits Bureau of Iowa Workforce Development for review.



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December 29, 2021  
Decision Dated and Mailed

acw/acw