

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

TWYLA L HULME
Claimant

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

APPEAL NO. 22A-UI-07933-AD-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 03/29/20
Claimant: Appellant (2)

PL 116-136, Sec. 2104 – Federal Pandemic Unemployment Compensation

STATEMENT OF THE CASE:

On March 24, 2022, Twyla Hulme (claimant/appellant) appealed the Iowa Workforce Development (“IWD”) decision dated March 21, 2022 (reference 02) that concluded the claimant was overpaid Federal Pandemic Unemployment Compensation in the amount of \$600.00 for the one-week period between March 29 and April 4, 2020 as a result of a prior decision denying benefits.

A telephone hearing was held on May 12, 2022, pursuant to due notice. Appeal Nos. 22A-UI-07932-AD-T and 22A-UI-07933-AD-T are related and were heard together, forming a single record. Claimant participated personally. Davis Dental, P.C. was listed on the hearing notice for 22A-UI-07932-AD-T and participated by owner Dr. Scott Davis. Official notice was taken of the administrative record, including the fact-finding documents.

ISSUE:

Was the claimant overpaid Federal Pandemic Unemployment Compensation (FPUC)?

FINDINGS OF FACT:

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

The decision denying benefits, which formed the basis for the FPUC overpayment, has now been reversed. See 22A-UI-07932-AD-T.

REASONING AND CONCLUSIONS OF LAW:

For the reasons set forth below, the decision dated March 21, 2022 (reference 02) that concluded the claimant was overpaid Federal Pandemic Unemployment Compensation in the amount of \$600.00 for the one-week period between March 29 and April 4, 2020 as a result of a prior decision denying benefits is REVERSED.

PL 116-136, Sec. 2104 provides, in pertinent part:

(b) Provisions of Agreement

(1) Federal pandemic unemployment compensation.--Any agreement under this section shall provide that the State agency of the State will make payments of regular compensation to individuals in amounts and to the extent that they would be determined if the State law of the State were applied, with respect to any week for which the individual is (disregarding this section) otherwise entitled under the State law to receive regular compensation, as if such State law had been modified in a manner such that the amount of regular compensation (including dependents' allowances) payable for any week shall be equal to

(A) the amount determined under the State law (before the application of this paragraph), plus

(B) an additional amount of \$600 (in this section referred to as "Federal Pandemic Unemployment Compensation").

....

(f) Fraud and Overpayments

(2) Repayment.--In the case of individuals who have received amounts of Federal Pandemic Unemployment Compensation to which they were not entitled, the State shall require such individuals to repay the amounts of such Federal Pandemic Unemployment Compensation to the State agency, except that the State agency may waive such repayment if it determines that –

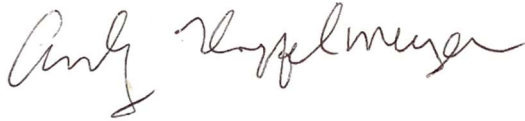
(A) the payment of such Federal Pandemic Unemployment Compensation was without fault on the part of any such individual; and

(B) such repayment would be contrary to equity and good conscience.

The decision denying benefits, which formed the basis for the FPUC overpayment, has now been reversed. See 22A-UI-07932-AD-T. As a result the decision finding claimant was overpaid FPUC must also be reversed.

DECISION:

The decision dated March 21, 2022 (reference 02) that concluded the claimant was overpaid Federal Pandemic Unemployment Compensation in the amount of \$600.00 for the one-week period between March 29 and April 4, 2020 as a result of a prior decision denying benefits is REVERSED. Claimant was not overpaid FPUC during the period in question.

A handwritten signature in cursive script, reading "Andy Duffelmeyer".

Andrew B. Duffelmeyer
Administrative Law Judge

May 16, 2022
Decision Dated and Mailed

abd/abd