

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**STACY CHAPMAN**  
Claimant

**APPEAL 21A-UI-15059-SN-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 03/15/20**  
**Claimant: Appellant (1)**

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PL116-136, Sec. 2104 – Federal Pandemic Unemployment Compensation (FPUC)

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the May 25, 2021, (reference 06) unemployment insurance decision that concluded she was overpaid \$3,600 in regular unemployment insurance benefits. After proper notice, a telephone hearing was conducted on August 25, 2021. The claimant participated. Official notice of the administrative records was taken.

**ISSUES:**

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

**FINDINGS OF FACT:**

The claimant filed a new claim for unemployment insurance benefits with an effective date of March 15, 2020.

The claimant received federal unemployment insurance benefits through Federal Pandemic Unemployment Compensation (FPUC). The claimant received \$3,600.00 in federal benefits for the period of April 11, 2020 and May 12, 2020. The claimant acknowledged receipt of these payments during the hearing.

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 20A-UI-04817-AW-T. It also disqualified the claimant from receiving \$3,848 in regular unemployment benefits, which she had already received.

The claimant applied for Pandemic Unemployment Assistance (PUA) and was approved for it. However, the claimant was not issued PUA payments, so she appealed and her approval was affirmed in 20A-DUA-00899-JC-T on January 22, 2021. That administrative law judge also heard the appeal of the claimant's overpayment of regular benefits in 20A-UI-14013-JC-T. The administrative law judge affirmed the overpayment resulting from 20A-UI-04817-AW-T, but remanded to the Benefits Bureau the issue regarding disbursement of PUA benefits and the accompanying FPUC benefits to offset the claimant's existing overpayments.

Despite the remand line in 20A-UI-14013-JC-T, the Benefits Bureau issued the claimant her entire PUA and FPUC accompanying benefits on February 18, 2021, rather than offsetting her existing overpayments. The administrative record KPYX shows the claimant was paid \$6,900 in FPUC benefits for her PUA claim on that date. The administrative record KPY1 shows the claimant was issued \$7,016 in PUA payments on that date. The claimant acknowledged receipt of these payments during the hearing.

**REASONING AND CONCLUSIONS OF LAW:**

The issue in this case is whether the claimant was overpaid FPUC benefits.

PL116-136, 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...

Here, the claimant is disqualified from receiving regular unemployment insurance (UI) benefits. Accordingly, this also disqualifies claimant from receiving Federal Pandemic Unemployment Compensation (FPUC). The claimant was overpaid \$3,600 in Federal Pandemic Unemployment Compensation (FPUC).

During the hearing, the claimant was under the impression that the remand line in 20A-UI-14013-JC-T offset her regular and accompanying FPUC overpayments with PUA payments and those accompanying FPUC payments. As illustrated in the findings of fact, that was not done. This administrative law judge is beside himself after reviewing the history of her appeal history in her battle to get relief during her time of unemployment. He is not aware of another case he has decided that has had such a relentless series of errors and obstacles placed in the path of a claimant. Despite such observations, the administrative law judge cannot consider matters of

equity in an appeal regarding the overpayment itself. Those factors can only be addressed by filing for an FPUC waiver using the instructions below.

**DECISION:**

The unemployment insurance decision dated May 25, 2021, (reference 06), is affirmed. The claimant was overpaid \$3,600.00 in FPUC benefits.



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

August 30, 2021  
Decision Dated and Mailed

smn/ol

*Note to Claimant:* This decision determines you have been overpaid FPUC under the CARES Act. If you disagree with this decision, you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision. Additionally, instructions for requesting a waiver of this overpayment can be found at <https://www.iowaworkforcedevelopment.gov/unemployment-insurance-overpayment-and-recovery>. If this decision becomes final and you are not eligible for a waiver, you will have to repay the benefits you received.