

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

MOHAMMED ELSAYED
Claimant

APPEAL 21A-UI-17477-SC-T
ADMINISTRATIVE LAW JUDGE
DECISION

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 06/07/20
Claimant: Appellant (1)

Public Law 116-136 § 2104 – Federal Pandemic Unemployment Compensation

STATEMENT OF THE CASE:

On August 9, 2021, Mohammed Elsayed (claimant) appealed an unemployment insurance decision dated July 28, 2021, reference 04, that concluded he was overpaid \$2,400.00 in Federal Pandemic Unemployment Compensation (FPUC). A telephone hearing was held by telephone on October 4, 2021, and consolidated with the hearings for appeals 21A-UI-17475-SC-T and 21A-UI-17476-SC-T. The claimant participated personally. The University of Iowa (employer) participated through Scott Coons, HR Associate. Gua (interpreter number 12453) and Aissar (interpreter number 12305), from CTS Language Link, provided Arabic interpretation for the hearing. The department's Exhibits D1 and D2 were admitted into the record.

ISSUE:

Has the claimant been overpaid FPUC?

FINDINGS OF FACT:

The claimant filed a new claim for unemployment insurance benefits with an effective date of June 7, 2020. The claimant filed for and received a total of \$2,400.00 in FPUC for the four weeks between June 28 and July 25.

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-17475-SC-T.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant was overpaid FPUC, which must be repaid.

PL116-136, Sec. 2104(b) and (f) provide, in relevant part:

EMERGENCY INCREASE IN UNEMPLOYMENT COMPENSATION BENEFITS.

(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 \$600.00 (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...

Since the claimant is not eligible for regular unemployment benefits, he was overpaid \$2,400.00 in FPUC. The claimant will be required to repay the benefits received unless this decision is overturned or he is eligible to have the overpayment waived.

DECISION:

The unemployment insurance decision dated July 28, 2021, reference 04, is affirmed. The claimant was overpaid \$2,400.00 in FPUC.



Stephanie R. Callahan
Administrative Law Judge

October 6, 2021
Decision Dated and Mailed

src/mh

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.