

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

JENNIFER L EVANS
Claimant

APPEAL NO. 20A-UI-14514-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPT**

OC: 04/05/20
Claimant: Appellant (1)

Fed Law PL 116-136, Sec. 2104 – Recovery of Overpayment of Benefits

STATEMENT OF THE CASE:

Claimant appealed a representative's decision dated November 6, 2020, reference 04, that concluded claimant was overpaid unemployment insurance as a result of a disqualification decision. A hearing was scheduled and held on January 12, 2021 pursuant to due notice. Claimant did participate.

ISSUE:

Whether claimant is overpaid FPUC benefits?

FINDINGS OF FACT:

The administrative law judge, having considered all of the evidence in the record, finds that: The overpayment issue in this case was created by a ruling claimant was improperly paid unemployment benefits. Claimant was deemed to have been overpaid \$7,200.00 for the 12 weeks ending June 27, 2020. This decision was appealed to an administrative law judge who upheld the decision in case 20A-UI-08636. This decision was upheld by the EAB.

REASONING AND CONCLUSIONS OF LAW:

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"). w

....

(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...

The administrative law judge concludes that claimant was overpaid unemployment insurance benefits in the amount of \$7,200.00 for the 12 weeks ending June 27, 2020, pursuant to PL116-136, Sec. 2104 as the disqualification decision that created the overpayment decision has now been affirmed.

DECISION:

The decision of the representative dated November 6, 2020, reference 04, is affirmed. Claimant was overpaid unemployment insurance benefits in the amount of \$7,200.00.



Blair A. Bennett
Administrative Law Judge

January 29, 2021
Decision Dated and Mailed

bab/mh