

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

TRACY L LETCH
Claimant

APPEAL 21A-UI-23502-S2-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 03/22/20
Claimant: Appellant (2)**

PL116-136, Sec. 2104(f)(2) – Overpayment of Federal Pandemic Unemployment Compensation

STATEMENT OF THE CASE:

Claimant Tracy L. Letch appealed a representative's decision dated October 14, 2021 (reference 06), that concluded the claimant was overpaid Federal Pandemic Unemployment Compensation (FPUC) benefits as a result of a disqualification decision. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on January 4, 2022, and was consolidated with the hearing for appeals 21A-UI-23500-S2-T and 21A-UI-23501-S2-T. Claimant participated personally. Claimant's Exhibit A – I were received. The administrative law judge took official notice of the administrative record.

ISSUE:

The issue is whether the claimant is overpaid FPUC benefits.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The decision that disqualified claimant from receiving PEUC benefits and, thus, FPUC benefits (and resulted in the overpayment) has been reversed. See appeal 21A-UI-23500-S2-T.

REASONING AND CONCLUSIONS OF LAW:

For the following reasons the administrative law judge concludes the claimant was not overpaid FPUC benefits for the period in question.

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...

Because claimant is eligible for PEUC, claimant was entitled to receive FPUC benefits. The administrative law judge concludes that claimant was not overpaid FPUC benefits.

DECISION:

The decision of the representative dated October 14, 2021, (reference 06) is reversed. Claimant was not overpaid FPUC benefits.



Stephanie Adkisson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
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January 27, 2022
Decision Dated and Mailed

sa/mh