

**IOWA DEPARTMENT OF INSPECTIONS AND APPEALS  
ADMINISTRATIVE HEARINGS DIVISION, UI APPEALS BUREAU**

68-0157 (9-06) - 3091078 - EI

**CELEIGH M MEYER**  
Claimant

**APPEAL NO: 22R-UI-14679-SN-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 01/19/20**  
**Claimant: Appellant (1)**

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

**STATEMENT OF THE CASE:**

On April 4, 2022, the claimant appealed two overpayment decisions dated March 24, 2022 (ref 04/05). The Appeals Bureau docketed the two overpayment decisions. This decision, March 24, 2022, (reference 05), found the claimant had been \$2400.00 in Federal Pandemic Unemployment Compensation (FPUC) benefits. The Appeals Bureau also liberally construed the claimant's appeal regarding the overpayment decisions as an appeal to the March 26, 2021, (reference 03) unemployment insurance decision. Another administrative law judge issued three default decisions, 22A-UI-08408-DB-T, 22A-UI-08410-DB-T, 22A-UI-08411-DB-T. The claimant appealed these default decisions to the Employment Appeal Board (EAB). The EAB sent the decisions back to the Appeals Bureau.

After proper notice, a remand telephone hearing was conducted on August 12, 2022. The hearing was held jointly with appeal 22R-UI-14677-SN-T and 22R-UI-14678-SN-T. The claimant participated. Official notice of the administrative records was taken.

**ISSUE:**

Is 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 claimant filed a new claim for unemployment insurance benefits with an effective date of July 7, 2022.

The claimant received federal unemployment insurance benefits through Federal Pandemic Unemployment Compensation (FPUC). The claimant received \$2,400.00 in federal benefits for the period of March 29, 2020 and April 25, 2020.

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 22R-UI-14677-SN-T.

## **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").

....

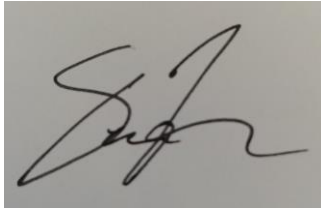
(f) Fraud and Overpayments

(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 \$2,400.00 in Federal Pandemic Unemployment Compensation (FPUC).

**DECISION:**

The unemployment insurance decision dated March 24, 2022, (reference 05), is **AFFIRMED**. The claimant was overpaid \$2,400.00 in Federal Pandemic Unemployment Compensation (FPUC).

A handwritten signature in black ink, appearing to read 'Sean M. Nelson', is written over a light gray rectangular background.

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Sean M. Nelson  
Administrative Law Judge

September 30, 2022  
Decision Dated and Mailed

smn/rvs

*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/application-overpayment-waiver>. If this decision becomes final and you are not eligible for a waiver, you will have to repay the benefits you received.

**APPEAL RIGHTS.** If you disagree with the decision, you or any interested party may:

1. Appeal to the Employment Appeal Board within fifteen (15) days of the date under the judge's signature by submitting a written appeal via mail, fax, or online to:

**Employment Appeal Board  
4<sup>th</sup> Floor – Lucas Building  
Des Moines, Iowa 50319  
Fax: (515)281-7191  
Online: [eab.iowa.gov](http://eab.iowa.gov)**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

**AN APPEAL TO THE BOARD SHALL STATE CLEARLY:**

- 1) The name, address, and social security number of the claimant.
- 2) A reference to the decision from which the appeal is taken.
- 3) That an appeal from such decision is being made and such appeal is signed.
- 4) The grounds upon which such appeal is based.

An Employment Appeal Board decision is final agency action. If a party disagrees with the Employment Appeal Board decision, they may then file a petition for judicial review in district court.

2. If no one files an appeal of the judge's decision with the Employment Appeal Board within fifteen (15) days, the decision becomes final agency action, and you have the option to file a petition for judicial review in District Court within thirty (30) days after the decision becomes final. Additional information on how to file a petition can be found at Iowa Code §17A.19, which is online at <https://www.legis.iowa.gov/docs/code/17A.19.pdf> or by contacting the District Court Clerk of Court <https://www.iowacourts.gov/iowa-courts/court-directory/>.

**Note to Parties:** YOU MAY REPRESENT yourself in the appeal or obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds.

**Note to Claimant:** It is important that you file your weekly claim as directed, while this appeal is pending, to protect your continuing right to benefits.

**SERVICE INFORMATION:**

A true and correct copy of this decision was mailed to each of the parties listed.