

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**CHRISTOPHER L TIMMONS**  
Claimant

**APPEAL 22A-UI-05631-DB-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 10/18/20  
Claimant: Appellant (2)**

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PL 116-136 Sec 2104 – Federal Pandemic Unemployment Compensation (FPUC)

**STATEMENT OF THE CASE:**

The claimant/appellant filed an appeal from the February 22, 2022 (reference 03) unemployment insurance decision that found claimant was overpaid FPUC benefits for the six-weeks ending February 6, 2021. The claimant was properly notified of the hearing. A telephone hearing was held on April 25, 2022. The claimant participated personally. Claimant's Exhibits A and B were admitted. The administrative law judge took administrative notice of the claimant's unemployment insurance benefits records. This hearing was consolidated with Appeal No. 22A-UI-05628-DB-T and 22A-UI-05630-DB-T.

**ISSUE:**

Is the claimant overpaid FPUC benefits?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed for unemployment insurance benefits effective October 18, 2020. Claimant was paid regular unemployment insurance benefits of \$3,240.00 for the weeks between October 18, 2020 and February 6, 2021. He was also paid FPUC benefits of \$1,800.00 for the six-week period ending February 6, 2021. An unemployment insurance decision was issued on February 12, 2021 (reference 01) which found that the claimant was not eligible for regular unemployment insurance benefits due to him still being employed for the same hours and wages with Logiclean of Ames Inc. That denial decision was reversed in Appeal No. 22A-UI-05628-DB-T.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes as follows:

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...

PL 116-136 Section 2104 of the CARES Act created a program in which an additional \$600.00 per week was payable to claimants who were eligible for at least \$1.00 per week in benefits stemming from other programs including regular unemployment insurance funded by the State of Iowa, Pandemic Emergency Unemployment Compensation, Pandemic Unemployment Assistance, Iowa Extended benefits, and Trade Act benefits. This initial program ran from March 29, 2020 through July 25, 2020. Claimants were only eligible to receive FPUC payments if they were entitled to receive benefits from another applicable program. The payments of FPUC benefits were automatic so long as a claimant was determined to be eligible under one of the other applicable programs. On December 27, 2020, the Continued Assistance to Unemployed Workers Act of 2020 (CAA) was enacted, which reauthorized the FPUC program for weeks of unemployment beginning after December 26, 2020 and ending on or before March 14, 2021. The CAA modified the weekly supplemental benefit amount from \$600.00 to \$300.00. On May 11, 2021, Governor Reynolds announced that Iowa would end its participation in federal pandemic-related unemployment benefit programs effective June 12, 2021. The last payable week for FPUC benefits in Iowa was the week ending June 12, 2021.

Iowa Code § 96.3(7)a provides:

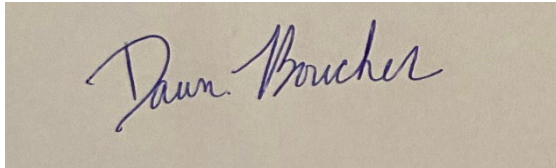
7. Recovery of overpayment of benefits.

a. If an individual receives benefits for which the individual is subsequently determined to be ineligible, even though the individual acts in good faith and is not otherwise at fault, the benefits shall be recovered. The department in its discretion may recover the overpayment of benefits either by having a sum equal to the overpayment deducted from any future benefits payable to the individual or by having the individual pay to the department a sum equal to the overpayment.

In this case, the claimant was paid FPUC benefits but was later determined to be ineligible for those supplemental benefits because regular unemployment had been denied. That denial decision dated February 12, 2021 (reference 01) has now been reversed in Appeal No. 22A-UI-05628-DB-T. As such, the claimant is not overpaid FPUC benefits as the underlying denial decision has been reversed.

**DECISION:**

The February 22, 2022 (reference 03) unemployment insurance decision is reversed. The claimant was not overpaid FPUC benefits for the six-week period ending February 6, 2021 as the underlying disqualification decision has been reversed.

A rectangular box containing a handwritten signature in blue ink that reads "Dawn Boucher".

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Dawn Boucher  
Administrative Law Judge

April 28, 2022  
Decision Dated and Mailed

db/db