

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JEFFREY J BLUE
Claimant

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

APPEAL 21A-UI-07084-AW-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 03/15/20
Claimant: Appellant (1)

PL 110-252 § 4001 – Federal Emergency Unemployment Compensation Extension Act
Iowa Code § 96.29 – Extended Benefits
20 CFR 615 – Extended Benefits

STATEMENT OF THE CASE:

Claimant filed an appeal from the February 24, 2021 (reference 06) unemployment insurance decision that found claimant was overpaid Pandemic Emergency Unemployment Compensation (PEUC) benefits. Claimant was properly notified of the hearing. A telephone hearing was held on May 20, 2021, at 8:15 a.m. Claimant participated. No exhibits were admitted. Official notice was taken of the administrative record.

ISSUE:

Whether claimant is overpaid Emergency Unemployment Compensation (EUC) benefits.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant has received EUC in the gross amount of \$1,880.00 for the 5-week period between September 27, 2020 and October 31, 2020. On February 23, 2021, Iowa Workforce Development (IWD) issued a decision (reference 03) that denied claimant UI benefits. That decision has been affirmed (see appeal 21A-UI-07081-AW-T).

REASONING AND CONCLUSIONS OF LAW:

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

The Emergency Unemployment Compensation (EUC) program was created by Public Law 110-252, Title VI. This temporary unemployment insurance program provides up to 13 additional weeks of unemployment benefits to certain workers who have exhausted their rights to regular unemployment compensation benefits.

Section 4001(d)(2)(A) of the EUC Act states that persons shall not be eligible for EUC unless they have “20 weeks of full-time insured employment or the equivalent in insured wages” in their base period as determined by the state law implementing the Extended Unemployment Compensation Act of 1970. The method Iowa chose is outlined in Iowa Code § 96.29(1). Iowa Code section 96.29(1)a-c provides:

Extended benefits.

Except when the result would be inconsistent with the other provisions of this chapter, as provided in rules of the department, the provisions of the law which apply to claims for or the payment of regular benefits shall apply to claims for, and the payment of, extended benefits.

1. Eligibility requirements for extended benefits. An individual is eligible to receive extended benefits with respect to a week of unemployment in the individual's eligibility period only if the department finds that all of the following conditions are met:

- a. The individual is an "exhaustee" as defined in this chapter.
- b. The individual has satisfied the requirements of this chapter for the receipt of regular benefits that are applicable to individuals claiming extended benefits, including not being subject to a disqualification for the receipt of benefits.
- c. The individual has been paid wages for insured work during the individual's base period in an amount at least one and one-half times the wages paid to the individual during that quarter of the individual's base period in which the individual's wages were highest.

The decision that denied claimant UI benefits remains in effect. Because claimant is not eligible for UI, he is not eligible for EUC. Therefore, claimant has received EUC benefits to which claimant was not entitled. The administrative law judge concludes that claimant has been overpaid EUC benefits in the amount outlined in the findings of fact above. Those benefits must be recovered in accordance with Iowa law.

DECISION:

The February 24, 2021 (reference 06) unemployment insurance decision is affirmed. Claimant has been overpaid EUC benefits in the amount of \$1,880.00, which must be repaid.



Adrienne C. Williamson
Administrative Law Judge
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May 28, 2021
Decision Dated and Mailed

acw/ol