

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**CEDRIC STINES**  
Claimant

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**APPEAL 21A-UI-21413-JD-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 03/14/21  
Claimant: Appellant (1)**

Public Law 116-136 § 2104 – Federal Pandemic Unemployment Compensation

**STATEMENT OF THE CASE:**

On September 27, 2021, Cedric Stines (claimant) appealed an unemployment insurance decision dated September 14, 2021, reference 02, which concluded he was overpaid \$3,900.00 in Federal Pandemic Unemployment Compensation (FPUC). A telephone hearing was held on November 22, 2021, and consolidated with the hearing for appeal 21A-UI-21412-JD-T. No exhibits were admitted into the record. The administrative law judge took official notice of the administrative record, specifically the unemployment insurance decision and the claimant's appeal.

**ISSUE:**

Has the claimant been overpaid FPUC?

**FINDINGS OF FACT:**

The claimant filed a new claim for unemployment insurance benefits with an effective date of March 14, 2021. The claimant filed for and received a total of \$3,900.00 in FPUC for the thirteen weeks between March 14, 2021, through June 12, 2021. The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been affirmed in a decision of the administrative law judge (ALJ) in appeal 21A-UI-05218-SN-T. The claimant appealed that decision to the Employment Appeal Board (EAB), that appeal is still pending.

## REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant was overpaid \$3,900.00 in FPUC, which must be repaid.

PL116-136, Sec. 2104(b) and (f) provide, in relevant part:

### EMERGENCY INCREASE IN UNEMPLOYMENT COMPENSATION BENEFITS.

#### (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

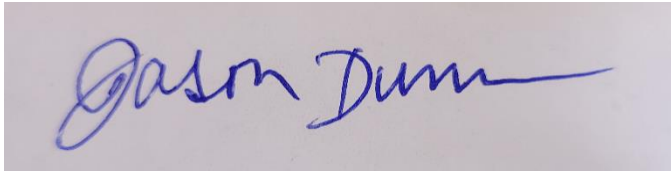
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(2) Repayment. --In the case of individuals who have received amounts of Federal Pandemic Unemployment Compensation to which they were not entitled, the State shall require such individuals to repay the amounts of such Federal Pandemic Unemployment Compensation to the State agency...

Since the claimant is not eligible for regular unemployment benefits, he was overpaid \$3,900.00 in FPUC. The claimant will be required to repay the benefits received unless he is eligible for a waiver of the overpayment.

**DECISION:**

The unemployment insurance decision dated September 14, 2021, reference 02, is affirmed unless claimant's appeal is reversed by the Employment Appeal Board, or he is granted a waiver. The claimant was overpaid \$3,900.00 in FPUC.



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Jason Dunn  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515) 478-3528

December 30, 2021  
Decision Dated and Mailed

jd/mh

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