

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**JOHN F HOLTSINGER**  
Claimant

**APPEAL NO. 22A-UI-01360-AD-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 03/29/20**  
**Claimant: Appellant (1)**

PL 116-136, Sec. 2104 – Federal Pandemic Unemployment Compensation

**STATEMENT OF THE CASE:**

On December 17, 2021, John Holtsinger (claimant/appellant) appealed the decision dated December 9, 2021 (reference 02) that concluded the claimant was overpaid Federal Pandemic Unemployment Compensation (FPUC) in the amount of \$1,200.00 for the week ending July 11, 2020 due to multiple payments being issued in error.

A telephone hearing was held on February 7, 2022, pursuant to due notice. Claimant participated personally. The administrative law judge took official notice of the administrative record.

**ISSUE:**

Was 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 administrative record shows claimant received FPUC in the amount of \$600.00 per week beginning March 29, 2020, based on his receipt of PUA. Due to a Department error claimant received PUA three times for the week ending July 11, 2020. This resulted in related FPUC payments being issued three times for that week as well. Claimant's receipt of these additional payments was due to no fault of his own.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons set forth below, the decision dated December 9, 2021 (reference 02) that concluded the claimant was overpaid Federal Pandemic Unemployment Compensation (FPUC) in the amount of \$1,200.00 for the week ending July 11, 2020 due to multiple payments being issued in error is AFFIRMED.

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, except that the State agency may waive such repayment if it determines that –

(A) the payment of such Federal Pandemic Unemployment Compensation was without fault on the part of any such individual; and

(B) such repayment would be contrary to equity and good conscience.


The administrative record shows claimant received FPUC in the amount of \$600.00 per week beginning March 29, 2020, based on his receipt of PUA. Due to a Department error claimant received PUA three times for the week ending July 11, 2020. This resulted in related FPUC payments being issued three times for that week as well. Claimant's receipt of these additional payments was due to no fault of his own. Nonetheless, because claimant received three FPUC payments in the amount of \$600.00 in the benefit week ending July 11, 2020 but was only entitled to one, he has been overpaid FPUC in the amount of \$1,200.00.

**DECISION:**

The decision dated December 9, 2021 (reference 02) that concluded the claimant was overpaid Federal Pandemic Unemployment Compensation (FPUC) in the amount of \$1,200.00 for the week ending July 11, 2020 due to multiple payments being issued in error is AFFIRMED.

**REMAND:**

This matter is REMANDED for processing of claimant's overpayment waiver application and for a review of whether the Department should provide updated tax documentation to claimant, in light of additional payments being issued in error and the resulting overpayment.



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

February 23<sup>rd</sup>, 2022  
Decision Dated and Mailed

abd/abd

***Note to Claimant:***

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.

If this decision determines you have been overpaid federal pandemic-related benefits you may request a waiver of the overpayment. Instructions for requesting a waiver 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.