

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

ALICIA N JEFFERSON
Claimant

APPEAL NO. 21A-UI-25314-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 05/03/20
Claimant: Appellant (1)

Iowa Code Section 96.3(7) – Overpayment of Benefits
Public Law 116-136, §2102 – Pandemic Unemployment Assistance

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the November 3, 2021, reference 00, decision that held she was overpaid \$812.00 in Pandemic Unemployment Assistance (PUA) for two weeks ending July 11, 2020, due to Iowa Workforce Development issuing four benefit payments for the week ending July 4, 2020 and two benefit payments for the week that ended July 11, 2020. After due notice was issued, a hearing was held on January 12, 2022. Claimant participated. The hearing in this record was consolidated with the hearing in Appeal Number 21A-UI-25315-JTT. Exhibit A was received into evidence at the time of the hearing. The administrative law judge took official notice of the Agency's administrative record of benefits paid to the claimant (DBRO, KPYX and KPY1) and of the Agency's approval of PUA benefits. The administrative law judge left the hearing record open through January 14, 2022 to provide the claimant additional opportunity to provide bank deposit records for July 2020. The claimant provided records that were received into evidence as Exhibit B.

ISSUE:

Whether the claimant was overpaid \$812.00 in Pandemic Unemployment Assistance (PUA) for two weeks ending July 11, 2020.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant established an original claimant for benefits that was effective May 3, 2020. The claimant was approved for \$203.00 in weekly Pandemic Unemployment Assistance (PUA) benefits for the period beginning. The claimant requested that Iowa and federal taxes be withheld from the benefits disbursed to her. The claimant received PUA benefits that included PUA benefits for the weeks ending July 4 and July 11, 2020. Iowa Workforce Development paid the PUA benefits as follows:

DRF-ISSUED	NET-PAID	PAY-METHOD	LAST-BWED	CHILD-SP	FEDERAL	IOWA	YEAR
05/20/2020	345.10	DIRECT-DEP	05/16/2020	0.00	40.60	20.30	2020
05/27/2020	172.55	DIRECT-DEP	05/23/2020	0.00	20.30	10.15	2020
06/03/2020	172.55	DIRECT-DEP	05/30/2020	0.00	20.30	10.15	2020
07/07/2020	690.20	DIRECT-DEP	06/27/2020	0.00	81.20	40.60	2020
07/08/2020	172.55	DIRECT-DEP	07/04/2020	0.00	20.30	10.15	2020
07/13/2020	172.55	DIRECT-DEP	07/04/2020	0.00	20.30	10.15	2020
07/14/2020	345.10	DIRECT-DEP	07/11/2020	0.00	40.60	20.30	2020
07/16/2020	345.10	DIRECT-DEP	07/11/2020	0.00	40.60	20.30	2020

The PUA payment record reflects that on July 8, 2020, IWD began the process of paying the claimant \$203.00 in PUA benefits for the week that ended July 4, 2020 and disbursed the appropriate net amount after income tax withholding. The payment record reflects that on July 13, 2020, IWD began the process of again paying the claimant \$203.00 in PUA benefits for the week that ended July 4, 2020. The payment records reflect that on July 14, 2020, IWD began the process of depositing two weeks' worth of PUA benefits (\$406.00) for the weeks that ended July 4 and July 11, 2020. The payment records reflect that on July 16, 2020, IWD commenced the process of again paying the claimant (\$406.00) for the weeks that ended July 4 and July 11, 2020. In each instance the benefits were direct deposited to the claimant's bank account. The records reflect that IWD paid the claimant four times for the week that ended July 4, 2020 and two times for the week that ended July 11, 2020, resulting in four weeks' worth (\$812.00) in extra PUA benefits.

The claimant also received Federal Pandemic Unemployment Compensation (FPUC) benefits that included benefits for the weeks ending July 4 and July 11, 2020. Iowa Workforce Development paid the FPUC benefits as follows:

DRF-ISSUED	NET-PAID	PAY-METHOD	LAST-BWED	CHILD-SP	FEDERAL	IOWA	YEAR
05/20/2020	1020.00	DIRECT-DEP	05/16/2020	0.00	120.00	60.00	2020
05/27/2020	510.00	DIRECT-DEP	05/23/2020	0.00	60.00	30.00	2020
06/03/2020	510.00	DIRECT-DEP	05/30/2020	0.00	60.00	30.00	2020
07/07/2020	2040.00	DIRECT-DEP	06/27/2020	0.00	240.00	120.00	2020
07/08/2020	510.00	DIRECT-DEP	07/04/2020	0.00	60.00	30.00	2020
07/13/2020	510.00	DIRECT-DEP	07/04/2020	0.00	60.00	30.00	2020
07/14/2020	1020.00	DIRECT-DEP	07/11/2020	0.00	120.00	60.00	2020
07/16/2020	1020.00	DIRECT-DEP	07/11/2020	0.00	120.00	60.00	2020

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3(7) provides, in pertinent part:

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.

The evidence establishes that the claimant was indeed paid \$609.00 in extra PUA benefits for the week that ended July 4, 2020 and \$203.00 in extra PUA benefits for the week that ended

July 11, 2020. This \$812.00 in extra PUA benefits is an overpayment of benefits that the claimant must repay.

DECISION:

The November 3, 2021, reference 00, decision is affirmed. The claimant was overpaid \$812.00 in Pandemic Unemployment Assistance (PUA) for the two weeks between June 28, 2020 and July 11, 2020, due to Iowa Workforce Development issuing four benefit payments for the week ending July 4, 2020 and two benefit payments for the week that ended July 11, 2020. The claimant must repay the overpaid PUA benefits.



James E. Timberland
Administrative Law Judge

February 11, 2022
Decision Dated and Mailed

jet/mh