

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**GAVIN M DODD**  
Claimant

**APPEAL NO. 21A-UI-05977-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 06/14/20**  
**Claimant: Appellant (1)**

Fed Law PL 116-136, Sec. 2104 – Recovery of Overpayment of Benefits  
Iowa Code Sec. 96.3(7) – Overpayment of Benefits

**STATEMENT OF THE CASE:**

Claimant appealed a representative's decision dated February 15, 2021, reference 05, that concluded claimant was overpaid unemployment insurance as a result of a disqualification decision. A hearing was scheduled and held on April 10, 2021 pursuant to due notice. Claimant did participate.

**ISSUE:**

Whether claimant is overpaid FPUC benefits?

**FINDINGS OF FACT:**

The administrative law judge, having considered all of the evidence in the record, finds that: The overpayment issue in this case was created by a ruling claimant was improperly paid unemployment benefits. Claimant was deemed to have been overpaid \$3,000.00 for the five weeks ending July 25, 2020.

Claimant admitted he received the funds in question. This overpayment was created by decision 20A-UI-12143-JC, which found claimant ineligible to receive unemployment benefits.

**REASONING AND CONCLUSIONS OF LAW:**

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").

....

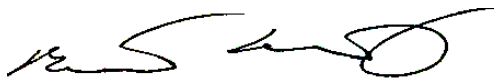
(f) Fraud and Overpayments

(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...

The administrative law judge concludes that claimant was overpaid unemployment insurance benefits in the amount of \$3,000.00 for the five weeks ending July 25, 2020, pursuant to PL116-136, Sec. 2104 as the disqualification decision that created the overpayment decision has now been affirmed.

**DECISION:**

The decision of the representative dated February 25, 2021, reference 05, is affirmed. Claimant overpaid FPUC unemployment insurance benefits in the amount of \$3,000.00.



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Blair A. Bennett  
Administrative Law Judge

April 14, 2021  
Decision Dated and Mailed

bab/lj

**NOTE TO CLAIMANT:**

- This decision determines you have been overpaid FPUC benefits. 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.
- You may also request a waiver of this overpayment. The written request must include the following information:
  1. Claimant name & address.
  2. Decision number/date of decision.
  3. Dollar amount of overpayment requested for waiver.
  4. Relevant facts that you feel would justify a waiver.
- The request should be sent to:

Iowa Workforce Development  
Overpayment waiver request  
1000 East Grand Avenue  
Des Moines, IA 50319
- This Information can also be found on the Iowa Workforce Development website 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.