

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DON C BROWN
Claimant

**APPEAL 21A-UI-17961-ED-T
ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 03/22/20
Claimant: Appellant (1)**

PL 116-136, Sec. 2107 – Federal Pandemic Emergency Unemployment Compensation

STATEMENT OF THE CASE:

Claimant filed an appeal from the July 20, 2021 (reference 05) 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 October 08, 2021, at 3:10 PM. Claimant participated. No exhibits were admitted. Official notice was taken of the administrative record.

ISSUE:

Whether claimant is overpaid PEUC.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed for and has received PEUC in the gross amount of \$10,971.00 for the 24-week period between September 20, 2020 and March 20, 2021. The unemployment insurance decision that disqualified claimant from receiving PEUC (and resulted in the overpayment) has been affirmed (see 21A-UI-17961-ED-T).

REASONING AND CONCLUSIONS OF LAW:

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

PL 116-136 Sec 2107 provides in pertinent part:

PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION.

(e) FRAUD AND OVERPAYMENTS.—

(2) REPAYMENT.—In the case of individuals who have received amounts of pandemic emergency unemployment compensation under this section to which they were not entitled, the State shall require such individuals to repay the amounts of such pandemic emergency unemployment compensation to the State agency, except that the State agency may waive such repayment if it determines that—

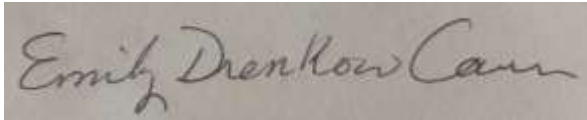
(A) the payment of such pandemic emergency unemployment compensation was without fault on the part of any such individual; and

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

Because claimant is not eligible for PEUC, benefits were paid to which claimant was not entitled. The administrative law judge concludes that the claimant has been overpaid PEUC in the amount of \$10,971.00 for the 24-week period between September 20, 2020 and March 20, 2021. Those benefits must be repaid.

DECISION:

The July 20, 2021 (reference 05) unemployment insurance decision is affirmed. Claimant has been overpaid Pandemic Emergency Unemployment Compensation in the amount of \$10,971.00 for the 24-week period ending March 20, 2021, which must be repaid.

A rectangular box containing a handwritten signature in cursive script that reads "Emily Drenkow Carr".

Emily Drenkow Carr
Administrative Law Judge

October 22, 2021
Decision Dated and Mailed

ed/ol