

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**LINCOLN A SCHAFTNER ACKERSON**  
Claimant

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**APPEAL NO. 22A-UI-06824-AD-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 04/19/20**  
**Claimant: Appellant (1R)**

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

**STATEMENT OF THE CASE:**

On March 14, 2022, Lincoln Schaftner Ackerson (claimant/appellant) appealed the Iowa Workforce Development (“IWD”) decision dated March 3, 2022 (reference 05) that concluded the claimant was overpaid Federal Pandemic Unemployment Compensation in the amount of \$8,400.00 for a 14-week period between April 19 and July 25, 2020 as a result of a prior decision denying benefits.

A telephone hearing was held on May 2, 2022, pursuant to due notice. Claimant participated personally and was represented by Attorney Kimberly Auge.

Appeal Nos. 22A-UI-06821-AD-T, 22A-UI-06822-AD-T, 22A-UI-06824-AD-T, AND 22A-UI-06825-AD-T were heard together and formed a single record. No exhibits were offered or admitted. Official notice was taken 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 gross amount of \$8,400.00 during the period in question. Claimant was subsequently determined to be disqualified from benefits during that period in a decision dated March 2, 2021. That decision remains in force. See 22A-UI-06821-AD-T.

A decision was issued on March 15, 2021 finding claimant eligible for Pandemic Unemployment Assistance (PUA) in the amount \$481.00 per week effective April 19, 2020. It does not appear PUA or related Federal Pandemic Unemployment Compensation or Lost Wage Assistance Payments have yet issued.

## REASONING AND CONCLUSIONS OF LAW:

For the reasons set forth below, the decision dated March 3, 2022 (reference 05) that concluded the claimant was overpaid Federal Pandemic Unemployment Compensation in the amount of \$8,400.00 for a 14-week period between April 19 and July 25, 2020 as a result of a prior decision denying benefits is AFFIRMED.

PL 116-136, 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 UI in the amount of \$6,010.00 during the period in question. Claimant was subsequently determined to be disqualified from benefits during that period in a decision dated March 2, 2021. That decision remains in force. See 22A-UI-06821-AD-T.

Because the claimant was disqualified from receiving UI during the relevant period he is also ineligible for FPUC during that period. Claimant has therefore been overpaid FPUC in the amount of \$8,400.00.

**DECISION:**

The decision dated March 3, 2022 (reference 05) that concluded the claimant was overpaid Federal Pandemic Unemployment Compensation in the amount of \$8,400.00 for a 14-week period between April 19 and July 25, 2020 as a result of a prior decision denying benefits is AFFIRMED.

**REMAND:**

This matter is REMANDED for issuance of any PUA, FPUC, and LWAP payments due claimant. Those payments may be withheld to the extent allowed by law to recover the existing overpayments.



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Andrew B. Duffelmeyer  
Administrative Law Judge

May 4, 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.