

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JASON SALMON
Claimant

APPEAL 21A-UI-00521-S1-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 08/18/19
Claimant: Appellant (1)**

PL 116-136 Section 2107 – Pandemic Emergency Unemployment Compensation

STATEMENT OF THE CASE:

The claimant appealed a representative's decision dated November 16, 2020, reference 02, that concluded the claimant was overpaid Pandemic Emergency Unemployment Compensation as a result of a disqualification decision. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on February 13, 2021. The claimant participated personally. 20A-UI-00520.S1, 20A-UI-00521.S1, and 20A-UI-00522.S1 were heard at the same time.

ISSUE:

The issue is whether the claimant is overpaid Pandemic Emergency Unemployment Compensation.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony of the witness and having considered all of the evidence in the record, finds that: The claimant filed for unemployment insurance benefits with an effective date of August 18, 2019. His weekly benefit amount was determined to be \$500.00. He received \$2,000.00 in Pandemic Emergency Unemployment Compensation for the four weeks ending August 15, 2020, and \$600.00 in Federal Pandemic Unemployment Compensation for the one week ending July 25, 2020.

The representative's decision dated August 28, 2020, reference 01, concluded the claimant was disqualified from receiving Pandemic Emergency Unemployment Compensation. The overpayment issue in this case was created by a disqualification decision that has now been affirmed.

REASONING AND CONCLUSIONS OF LAW:

For the following reasons the administrative law judge concludes the claimant was overpaid Federal Pandemic Unemployment Compensation.

PL 116-136 Sec 2107 provides in pertinent part:

PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION.

(2) PROVISIONS OF AGREEMENT. —

Any agreement under paragraph (1) shall provide that the State agency of the State will make payments of pandemic emergency unemployment compensation to individuals who—

(A) have exhausted all rights to regular compensation under the State law or under Federal law with respect to a benefit year (excluding any benefit year that ended before July 1, 2019);

(B) have no rights to regular compensation with respect to a week under such law or any other State unemployment compensation law or to compensation under any other Federal law;

(C) are not receiving compensation with respect to such week under the unemployment compensation law of Canada; and

(D) are able to work, available to work, and actively seeking work.

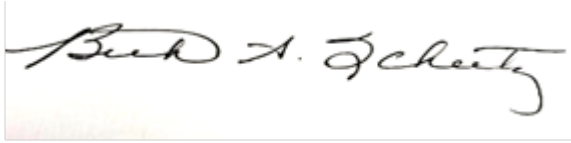
(emphasis added).

The claimant was disqualified from receiving Pandemic Emergency Unemployment Compensation . The administrative law judge concludes that the claimant was overpaid Pandemic Emergency Unemployment Compensation pursuant to Public Law 116-136, Section 2107 and as the disqualification decision that created the overpayment has now been affirmed.

Note to Claimant: This decision determines you are not eligible for regular unemployment insurance 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. Individuals who do not qualify for regular unemployment insurance benefits due to disqualifying separations, but who are currently unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.

DECISION:

The decision of the representative dated November 16, 2020, reference 02, is affirmed. The claimant was overpaid Pandemic Emergency Unemployment Compensation.

A handwritten signature in cursive script, reading "Beth A. Scheetz". The signature is written in black ink on a white background.

Beth A. Scheetz
Administrative Law Judge

February 25, 2021
Decision Dated and Mailed

bas/scn