

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**JASON KIDDER**  
Claimant

**APPEAL 21A-UI-01576-DB-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

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

PL 116-136 Sec 2104 – Federal Pandemic Unemployment Compensation

**STATEMENT OF THE CASE:**

The claimant/appellant filed an appeal from the December 15, 2020 (reference 06) unemployment insurance decision that found claimant was overpaid Federal Pandemic Unemployment Compensation (FPUC) benefits in the amount of \$600.00 for one week ending June 6, 2020. The claimant was properly notified of the hearing. A telephone hearing was held on February 23, 2021. The claimant participated personally. Claimant's Exhibit A was admitted. The administrative law judge took administrative notice of the claimant's unemployment insurance benefits records. This hearing was consolidated with Appeal No. 21A-UI-01572-DB-T; Appeal No. 21A-UI-01573-DB-T; Appeal No. 21A-UI-01574-DB-T; and Appeal No. 21A-UI-01575-DB-T.

**ISSUE:**

Is the claimant overpaid FPUC benefits?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed an original claim for unemployment insurance benefits effective March 22, 2020. He was paid FPUC benefits in the amount of \$600.00 for one week ending June 6, 2020. A decision that disqualified him from being eligible for regular unemployment insurance benefits funded by the State of Iowa was issued on November 23, 2020 (reference 02). That decision was affirmed in Appeal No. 21A-UI-01572-DB-T.

**REASONING AND CONCLUSIONS OF LAW:**

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

Iowa Code § 96.3(7)a provides:

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.

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").

....

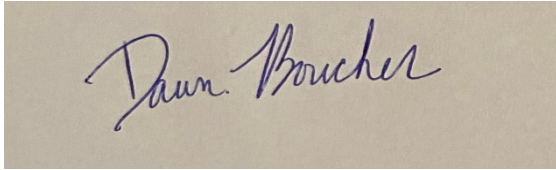
(f) Fraud and Overpayments

(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...

In this case, the claimant received FPUC benefits but was not eligible for those benefits. This was because of a decision that disqualified him from being eligible for regular unemployment insurance benefits funded by the State of Iowa that was issued on November 23, 2020 (reference 02). That decision was affirmed in Appeal No. 21A-UI-01572-DB-T. Because the claimant was not eligible for regular unemployment insurance benefits during that period of time, he was also not eligible for FPUC benefits for that one-week period. As such, the claimant is overpaid FPUC benefits in the amount of \$600.00 for one week ending June 6, 2020.

**DECISION:**

The December 15, 2020 (reference 06) unemployment insurance decision is affirmed. The claimant was overpaid FPUC benefits of \$600.00 for one week ending June 6, 2020.



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Dawn Boucher  
Administrative Law Judge

March 3, 2021  
Decision Dated and Mailed

db/kmj

**Note to Claimant**

This decision determines you are not eligible for 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 qualify for benefits under the Federal Pandemic Unemployment Assistance ("PUA") section of the Coronavirus Aid, Relief, and Economic Security Act ("Cares Act") that discusses eligibility for claimants who are unemployed due to the Coronavirus.

**You will need to apply for PUA to determine your eligibility under the program.**

For additional information on how to apply for PUA go to:  
<https://www.iowaworkforcedevelopment.gov/pua-information>.