

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JEREMIE E HALL
Claimant

APPEAL 21A-UI-06425-S1-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 04/05/20
Claimant: Appellant (1)

Iowa Code § 96.3-7 – Overpayment
PL 116-136 Section 2104 – Federal Pandemic Unemployment Compensation

STATEMENT OF THE CASE:

The claimant appealed an Iowa Workforce Development decision dated February 15, 2021, reference 29, that concluded the claimant was overpaid \$10,800.00 in Federal Pandemic Unemployment Compensation as a result of the claimant's qualification for state unemployment insurance benefits on April 5, 2020. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on May 10, 2021. The claimant participated personally.

The administrative law judge took official notice of the administrative file. 21A-UI-06422.S1, 21A-UI-06423.S1, 21A-UI-06424.S1, and 21A-UI-06425.S1 were heard at the same time.

ISSUE:

The issue is whether the claimant is overpaid Federal Pandemic 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 overpayment issue in this case was created because the claimant qualified for state unemployment insurance benefits on April 5, 2020. The claimant was overpaid \$10,800.00 in Federal Pandemic Unemployment Compensation for the twenty-one weeks ending February 6, 2021.

REASONING AND CONCLUSIONS OF LAW:

For the following reasons the administrative law judge concludes the claimant was overpaid \$10,800.00 in Federal Pandemic Unemployment Compensation.

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").

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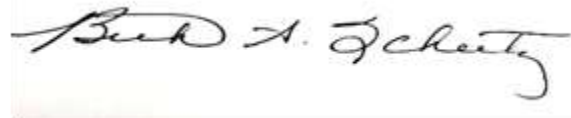
(f) Fraud and Overpayments

(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 claimant was disqualified from receiving regular unemployment insurance (UI) benefits. Accordingly, this also disqualifies claimant from receiving Federal Pandemic Unemployment Compensation (FPUC). The administrative law judge concludes that the claimant was overpaid \$10,800.00 in Federal Pandemic Unemployment Compensation pursuant to Public Law 116-136, Section 2104(F)2 when the claimant qualified for state unemployment insurance benefits.

DECISION:

The decision of the representative dated February 15, reference 29, is affirmed. The claimant was overpaid \$10,800.00 in Federal Pandemic Unemployment Compensation.



Beth A. Scheetz
Administrative Law Judge

May 18, 2021
Decision Dated and Mailed

bas/ol

Note to Claimant: This decision determines you have been overpaid FPUC under the CARES Act. 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. Additionally, instructions for requesting a waiver of this overpayment 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.