

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**TAMI S DICKINSON**  
Claimant

**APPEAL 22A-UI-01458-DH-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 03/15/20**  
**Claimant: Appellant (1)**

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

**STATEMENT OF THE CASE:**

Claimant, Tami Dickinson, filed an appeal from the December 10, 2021, (reference 00) unemployment insurance decision that found claimant was overpaid Federal Pandemic Unemployment Compensation (FPUC) benefits in the amount of \$1,200.00 for a one-week period ending 07/11/20, due to three payments being sent for that benefit week. A telephone hearing was scheduled for February 8, 2022, at 2:05PM and the cases were consolidated. The parties were properly notified of the hearing. Claimant participated. The Department did not participate. Judicial notice was taken of the administrative file and the records therein.

**ISSUE:**

Is the claimant was overpaid FPUC benefits?

**FINDINGS OF FACT:**

Having heard testimony and reviewed evidence in the record, the undersigned finds:

Claimant filed a new claim for unemployment insurance benefits with an original claim date of 03/15/2020. For the benefit week ending 07/11/2020, a \$600.00 payment was made on July 14<sup>th</sup>, 15<sup>th</sup>, and 16<sup>th</sup>. Claimant received the funds and is not disputing payment. Claimant believed the funds were to catch her up from an earlier gap. The payments all reflect they are for the benefit week of July 11, 2020 and not for some other benefit week.

**REASONING AND CONCLUSIONS OF LAW:**

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

Regarding the Federal Pandemic Unemployment Compensation (FPUC) program:

Iowa Code section 96.3(7) provides, in pertinent part:

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...

Claimant received three payments of FPUC benefits for one benefit week, resulting in an overpayment of \$1,200.00.

**DECISION:**

The December 10, 2021, (reference 00) unemployment insurance decision is **AFFIRMED**. Claimant was overpaid \$1,200.00 in FPUC benefits, which must be repaid.

  
\_\_\_\_\_  
Darrin T. Hamilton  
Administrative Law Judge

February 28, 2022  
Decision Dated and Mailed

dh/mh

*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/federal-unemployment-insurance-overpayment>. If this decision becomes final and you are not eligible for a waiver, you will have to repay the benefits you received.

You may find additional information about food, housing, and other resources at <https://covidrecoveryiowa.org/> or at <https://dhs.iowa.gov/node/3250>