

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**CHAD CRONK**  
Claimant

**APPEAL NO: 21A-UI-18043-JC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 03/15/20  
Claimant: Appellant (2)**

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Iowa Code § 96.3(7) – Recovery of Benefit Overpayment  
PL116-136, Sec. 2104 – Federal Pandemic Unemployment Compensation (FPUC)

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the August 11, 2021, (reference 06) unemployment insurance decision that concluded he was overpaid FPUC benefits. After proper notice, a telephone hearing was conducted on October 11, 2021. The hearing was held together with Appeals 21A-UI-18040-JC-T, 21A-UI-18039-JC-T, and 21A-UI-18041-JC-T. The claimant participated. Official notice of the administrative records was taken. Department Exhibit D-1 was admitted.

**ISSUES:**

Has the claimant been overpaid any unemployment insurance benefits?  
Is 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 claimant filed a new claim for unemployment insurance benefits with an effective date of March 15, 2020.

The claimant received federal unemployment insurance benefits through Federal Pandemic Unemployment Compensation (FPUC). Claimant received \$4,800.00 in federal benefits for the period of May 31, 2020 and July 25, 2020.

The unemployment insurance decision that disqualified the claimant from receiving unemployment insurance benefits has been reversed in a decision of the administrative law judge in appeal 21A-UI-18039-JC-T.

**REASONING AND CONCLUSIONS OF LAW:**

The issue in this case is whether the claimant was overpaid FPUC benefits.

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...

Since the decision disqualifying the claimant has been reversed, the claimant was not overpaid \$5,289.41 in unemployment insurance benefits.

Here, the claimant is qualified to draw regular unemployment insurance (UI) benefits. Accordingly, this also qualifies claimant to receive Federal Pandemic Unemployment Compensation (FPUC). The claimant was not overpaid \$4,800.00 in Federal Pandemic Unemployment Compensation (FPUC).

**DECISION:**

The unemployment insurance decision dated August 11, 2021, (reference 06), is REVERSED. The claimant was not overpaid \$5,289.41 in regular, state unemployment insurance benefits. The claimant was not overpaid \$4,800.00 in Federal Pandemic Unemployment Compensation (FPUC).



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October 14, 2021  
Decision Dated and Mailed

jlb/mh