

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ELIZABETH A KENNEY
Claimant

APPEAL 22A-UI-00774-AW-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 03/01/20
Claimant: Appellant (1)**

PL 116-136, Sec. 2102 – Federal Pandemic Unemployment Assistance
Iowa Code § 96.3(7) – Payment – Overpayment

STATEMENT OF THE CASE:

Claimant filed an appeal from the December 3, 2021 unemployment insurance decision that found claimant was overpaid Pandemic Unemployment Assistance (PUA) benefits. Claimant was properly notified of the hearing. A telephone hearing was held on February 1, 2022. Claimant participated. No exhibits were admitted. Official notice was taken of the administrative record.

ISSUE:

Whether claimant is overpaid PUA benefits.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

Claimant received two payments of PUA benefits in the gross amount of \$203.00 each for the benefit week ending July 11, 2020. Iowa Workforce Development (IWD) authorized the payments on July 13, 2020 and July 15, 2020. The payments were deposited into claimant's account within three or four days of authorization. Claimant received two PUA payments for the benefit week ending July 11, 2020.

REASONING AND CONCLUSIONS OF LAW:

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

Iowa Code section 96.3(7) states:

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.

In this case, claimant received double PUA benefits. Accordingly, claimant has received PUA benefits to which she was not entitled. The administrative law judge concludes claimant has been overpaid PUA benefits in the amount of \$203.00. Those benefits must be recovered in accordance with Iowa law.

DECISION:

The December 3, 2021 unemployment insurance decision is affirmed. Claimant has been overpaid PUA benefits in the amount of \$203.00, which must be repaid.



Adrienne C. Williamson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

February 22, 2022
Decision Dated and Mailed

acw/ACW

NOTE TO CLAIMANT: This decision determines you have been overpaid benefits 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.