

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

CYNTHIA J GIUNTA
Claimant

APPEAL 21R-UI-13103-NM-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 04/19/20
Claimant: Appellant (2)**

PL116-136, Sec. 2104(f)(2) – Overpayment of Federal Pandemic Unemployment Compensation

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated January 19, 2021, reference 04, that concluded she was overpaid \$3,600.00 in federal pandemic unemployment compensation (FPUC) based on a disqualification decision issued June 30, 2020. The administrative record contains sufficient information to resolve the matter in claimant's favor without a hearing.

ISSUE:

Has the claimant been overpaid FPUC benefits?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant filed for and received a total of \$3,600.00 in FPUC benefits for the weeks between April 19, 2020 and May 30, 2020. The unemployment insurance decision that disqualified the claimant from receiving FPUC benefits has been reversed in a decision of the administrative law judge in appeal 20A-UI-08033-JE-T.

REASONING AND CONCLUSIONS OF LAW:

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

Iowa Code § 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.

Since the decision disqualifying the claimant has been reversed, the claimant was not overpaid \$3,600.00 in FPUC benefits.

DECISION:

The unemployment insurance decision dated January 19, 2021, reference 04, is reversed. The claimant was not overpaid \$3,600.00 in FPUC benefits.



Nicole Merrill
Administrative Law Judge

June 25, 2021
Decision Dated and Mailed

nm/lj