

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**ARNULFO J MEDINA**  
Claimant

**APPEAL 21A-UI-18236-DZ-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 12/15/19  
Claimant: Appellant (1R)**

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Iowa Code § 96.3(7) – Recovery of Benefit Overpayment

**STATEMENT OF THE CASE:**

Arnulfo J Medina, the claimant/appellant, filed an appeal from the August 6, 2021, (reference 09) unemployment insurance decision that concluded he was overpaid Extended Benefits in the amount of \$2,364.00. Mr. Medina was properly notified of the hearing. A telephone hearing was held on October 12, 2021. Mr. Medina participated and testified. The administrative law judge took official notice of the administrative record.

**ISSUES:**

Has Mr. Medina been overpaid Extended Benefits?

**FINDINGS OF FACT:**

Having reviewed the evidence in the record, the administrative law judge finds: Mr. Medina received Extended Benefits in the amount of \$2,364.00 for 4 weeks between August 2, 2020 and August 29, 2020.

On September 9, 2020, Iowa Workforce Development issued a reference 04 decision finding Mr. Medina was not eligible for REGULAR UI benefits as of May 31, 2020. The administrative law judge's decision in Appeal 21A-UI-18233-DZ-T affirmed the reference 04 decision.

Mr. Medina applied for Pandemic Unemployment Assistance (PUA) benefits on September 21, 2020. The Iowa Workforce Development decision dated November 6, 2020 determined that he was not eligible for Pandemic Unemployment Assistance (PUA) benefits. Mr. Medina appealed. The administrative law judge's decision in Appeal 21R-DUA-01366-DZ-T modified the November 6, 2020 decision in favor of Mr. Medina and found him eligible for PUA benefits as of May 31, 2020. Governor Reynolds ended Iowa's participation in the federal COVID-19 unemployment insurance programs, including the PUA program, as of June 12, 2021. As a result, Mr. Medina's eligibility for PUA benefits ended on June 12, 2021.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes Mr. Medina has been overpaid Extended 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.

b. (1) (a) If the department determines that an overpayment has been made, the charge for the overpayment against the employer's account shall be removed and the account shall be credited with an amount equal to the overpayment from the unemployment compensation trust fund and this credit shall include both contributory and reimbursable employers, notwithstanding section 96.8, subsection 5.

Because Mr. Medina is disqualified from receiving REGULAR UI benefits, he is also disqualified from receiving Extended Benefits. The administrative law judge concludes that Mr. Medina has been overpaid Extended Benefits in the gross amount of \$2,364.00 for 4 weeks between August 2, 2020 and August 29, 2020, which should be repaid.

**DECISION:**

The August 6, 2021, (reference 09) unemployment insurance decision is affirmed. Mr. Medina has been overpaid Extended Benefits in the amount of \$2,364.00, which must be repaid.

**REMAND:**

This matter is remanded (sent back) to the Benefits Bureau of Iowa Workforce Development for a review of whether Mr. Medina is eligible for Extended Benefits based on his approval for PUA benefits, and/or to recover the overpayment of Extended Benefits from the PUA benefits to the greatest extent possible.



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Daniel Zeno  
Administrative Law Judge

October 18, 2021  
Decision Dated and Mailed

dz/ol