

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ALEXANDER PEEBLES
Claimant

APPEAL 20A-UI-14090-CL-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 04/12/20
Claimant: Appellant (1R)

PL 116-136, Sec. 2104(b) – Federal Pandemic Unemployment Compensation

STATEMENT OF THE CASE:

On November 5, 2020, the claimant filed an appeal from the November 10, 2020, (reference 03) unemployment insurance decision that found claimant overpaid FPUC benefits. The claimant was properly notified about the hearing. A telephone hearing was held on January 6, 2021. Claimant participated.

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: Claimant received REGULAR unemployment insurance benefits in the amount of \$1,064.00 and Federal Pandemic Unemployment Compensation (FPUC) benefits in the amount of \$4,800.00 for the eight weeks ending June 6, 2020. Claimant received the FPUC benefits based on his receipt of REGULAR unemployment insurance benefits.

On June 18, 2020, Iowa Workforce Development issued a reference 01 decision denying claimant REGULAR unemployment insurance benefits based on a separation from employment. That decision has been affirmed.

The claimant was approved for Pandemic Unemployment Assistance (PUA) benefits in Appeal No. 20A-DUA-00905-CL-T.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge additionally concludes claimant has been overpaid Federal Pandemic Unemployment Compensation.

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...

Here, the claimant is disqualified from receiving regular unemployment insurance (UI) benefits. Accordingly, this also disqualifies claimant from receiving Federal Pandemic Unemployment Compensation (FPUC). In addition to the regular UI benefits claimant received, he also received an additional \$4,800.00 in FPUC benefits for the eight week period ending June 6, 2020. Claimant is required to repay those benefits.

DECISION:

The November 10, 2020, (reference 03) unemployment insurance decision is affirmed. The claimant has been overpaid FPUC benefits in the amount of \$4,800.00.

REMAND:

This matter is remanded to the Benefits Bureau of Iowa Workforce Development for a review of whether claimant is eligible for FPUC benefits based on claimant's approval for PUA benefits.



Christine A. Louis
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
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January 25, 2021
Decision Dated and Mailed

cal/mh