

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**JULIE PIEGORS**  
Claimant

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**APPEAL 22A-UI-07705-AR-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 04/19/20**  
**Claimant: Appellant (1)**

PL 116-136, Sec. 2104(f)(2) –Federal Pandemic Unemployment Compensation

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the March 22, 2022, (reference 03) unemployment insurance decision that determined claimant had been overpaid Federal Pandemic Unemployment Compensation (FPUC) benefits in the amount of \$7,800.00 for the 13-week period ending July 25, 2020, because she had not filed claims for benefits during the weeks for which she received payment. After due notice was issued, a telephone hearing was held on May 6, 2022. The claimant, Julie Piegors, participated personally. The administrative law judge took official notice of the administrative record.

**ISSUE:**

Was the claimant overpaid FPUC benefits?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed a claim for benefits with an effective date of April 19, 2020. However, she does not remember whether or in what weeks she filed claims for benefits thereafter. In early 2022, claimant received a 1099G from Iowa Workforce Development (IWD) indicating she had received benefits. Claimant had never received benefit payments from the Agency aside from the \$7,800.00 check at issue here. She contacted IWD and determined that it was likely that identity theft had occurred. A police report was filed.

Claimant had received \$7,800.00 in FPUC benefit payments in one check in March 2021. She cashed the check, believing that it was the result of a letter approving her for benefits that she had received some time before.

Agency records indicate that an investigation revealed that a large number of weekly claims had been recorded in the system in February 2021. This was likely the result of the identity thief. There is no indication that claimant filed claims for benefits for the weeks in which she received FPUC payment. When claimant spoke with an IWD representative regarding the issue, she was informed that it was likely she was overpaid FPUC.

## REASONING AND CONCLUSIONS OF LAW:

For the following reasons the administrative law judge concludes the claimant was overpaid FPUC benefits for the period in question.

Public Law 116-136, 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...

Section 203 of the Continued Assistance for Unemployed Workers Act of 2020 provides in pertinent part:

(a) IN GENERAL. – Section 2104(e) of the CARES Act (15 U.S.C. 9023(e)) is amended to read as follows: . . .

“(e) APPLICABILITY. – An agreement entered into under this section shall apply –

(1) to weeks of unemployment beginning after the date on which such agreement is entered into and ending on or before July 31, 2020; and

(2) to weeks of unemployment beginning after December 26, 2020 (or, if later, the date on which such agreement is entered into), and ending on or before March 14, 2021.”.

(b) AMOUNT.-

(1) IN GENERAL. – Section 2104(b) of the CARES Act (15 U.S.C. 9023(b)) is amended –

(A) in paragraph (1)(B), by striking “of \$600” and inserting “equal to the amount specified in paragraph (3)”; and

(B) by adding at the end of the following new paragraph:

“(3) AMOUNT OF FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION.-

“(A) IN GENERAL. – The amount specified in this paragraph is the following amount:

“(i) For weeks of unemployment beginning after the date on which an agreement is entered into under this section and ending on or before July 31, 2020, \$600.00.

“(ii) For weeks of unemployment beginning after December 26, 2020 (or, if later, the date on which such agreement is entered into), and ending on or before March 14, 2021, \$300.00.”.

There is no indication that claimant filed claims for benefits for the 13 weeks ending July 25, 2020, for which she received an FPUC benefit payment. If claimant did not file weekly claims during that time, she was not entitled to FPUC benefits. The administrative law judge concludes that claimant has been overpaid FPUC benefits in the amount outlined in the findings of fact above. Claimant is obligated to repay the FPUC benefits unless repayment of this obligation is waived. Instructions on how to apply for a waiver are found below.

**DECISION:**

The decision of the representative dated March 22, 2022, (reference 03) is affirmed. Claimant has been overpaid FPUC benefits in the amount of \$7,800.00, which must be repaid.



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Alexis D. Rowe  
Administrative Law Judge

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June 9, 2022  
Decision Dated and Mailed

ar/kmj

**NOTE TO CLAIMANT:**

- This decision determines you have been overpaid FPUC benefits. 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.
- You may also request a waiver of this overpayment. The written request must include the following information:
  1. Claimant name & address.
  2. Decision number/date of decision.
  3. Dollar amount of overpayment requested for waiver.
  4. Relevant facts that you feel would justify a waiver.
- The request should be sent to:

Iowa Workforce Development  
Overpayment waiver request  
1000 East Grand Avenue  
Des Moines, IA 50319
- This Information can also be found on the Iowa Workforce Development website 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.