

**871—25.1(96) Definitions.**

*“Administrative penalty”* means the disqualification of a claimant from the receipt of benefits due to fraud or misrepresentation or the willful and knowing failure to disclose a material fact for a period of not more than the remaining benefit year, including the week in which such determination is made.

*“Allegation of fraud”* means any form of communication from a party that implies fraudulent activity.

*“Anonymous tip”* means information about suspected fraudulent activity received from a party who wishes to remain unidentified.

*“Appeals”* means a request for a review by an appeals authority of the department from any determination made by a representative of the department, including any request for a review by a higher appeals authority of a decision made by a lower appeals authority. It also includes any appeal from a determination of a representative, or any appeal or request for a hearing by a properly affected party.

*“Benefits”* means the same as defined in Iowa Code section 96.1A(5).

*“Claim”* means the same as defined in 871—subrule 24.1(9).

*“Claimant”* means the same as defined in 871—subrule 24.1(10).

*“Earnings”* means the remuneration for services performed.

*“Employing unit”* means the same as defined in Iowa Code section 96.1A(15).

*“Evidence”* means any witnesses’ testimony, records, documents, copies of documents, statements, demonstrations, or any other relevant testimony or concrete objects before the department or at an employment appeal hearing or trial of an issue for the purpose of inducing belief in the minds of the hearing officer, department, court or jury as to the truth of a contention.

*“Fact-finding interview”* means a discussion between a claimant or an employer and an investigator for the purpose of obtaining from the claimant or employer a statement containing information on a specific eligibility or disqualification issue.

*“Fraud”* means the intentional misuse of facts or truth to obtain or increase unemployment insurance benefits for oneself or another or to avoid the verification and payment of employment security taxes; a false representation of a matter of fact, whether by statement or by conduct, by false or misleading statements or allegations; or the concealment or failure to disclose that which should have been disclosed, which deceives and is intended to deceive another so that they, or the department, shall not act upon it to their, or its, legal injury.

*“Fraudulent activity”* means actions based on or in the spirit of fraud.

*“Initial determination”* means the first determination with respect to a claim or a request for determination of insured status.

*“Intent”* means the design, resolve, or determination with which an individual or group of individuals acts in order to reach a preconceived objective.

*“Investigator”* means an investigation and recovery section investigator.

*“Local office”* means the workforce development center office in which claims functions are performed.

*“Material fact”* means a fact that necessarily has some bearing on the subject matter, such as is necessary to determine the issue.

*“Misconduct”* means the same as defined in Iowa Code section 96.5(2).

*“Misrepresentation”* means to give misleading or deceiving information or omit material information; and to present or represent in a manner at odds with the truth.

*“Month”* means the time beginning with any day of one month to the corresponding day of the next month, or if there is no corresponding day, then through the last day of the next month.

*“Overpayment”* means the amount of unemployment insurance benefits erroneously paid to a claimant due to error, misrepresentation, or fraud.

*“Social security number”* means the same as defined in 871—subrule 24.1(31).

*“Surveillance”* means the observance of activities.

*“Wage cross match audit”* means the computerized quarterly cross match of benefits received by Iowa claimants and wages reported by employers to the state of Iowa.

*“Wages”* means the same as defined in Iowa Code section 96.1A(40).

*“Week”* means the same as defined in Iowa Code section 96.1A(41).

This rule is intended to implement Iowa Code chapter 96.  
[ARC 8361C, IAB 11/13/24, effective 12/18/24]