

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

**DANIEL T REDICK**  
Claimant

**APPEAL NO. 07A-UI-01200-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 01/14/07 R: 01**  
**Claimant: Appellant (1/R)**

Section 96.4-4 – Second Benefit Year Qualifying Wages

**STATEMENT OF THE CASE:**

Daniel T. Redick (claimant) appealed a representative's January 25, 2007 decision (reference 01) that concluded he was not eligible to receive benefits as of January 14, 2007, because he had not earned \$250.00 in wages from an insured employer between January 15, 2006, and January 14, 2007. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on February 19, 2007. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Is the claimant eligible to receive benefits in a second, subsequent benefit year?

**FINDINGS OF FACT:**

The claimant established a claim for unemployment insurance benefits during the week of January 15, 2006. He received benefits for the weeks ending January 21 through May 20, 2006. The claimant received a total of \$6,130.02 in benefits, or benefits for 17 weeks.

The claimant established a second benefit year during the week of January 14, 2007. The claimant has not earned or received any wages from insured work between January 15, 2006, and January 14, 2007.

**REASONING AND CONCLUSIONS OF LAW:**

If an individual has drawn benefits in any benefit year, the individual must during or subsequent to that year, work in and be paid wages for insured work totaling at least \$250.00, as a condition to receive benefits in a new benefit year. Iowa Code § 96.4-4. The claimant asserted he was misled by a Workforce representative when he established a claim during the week of January 15, 2006. The claimant understood he was eligible to receive 26 weeks of benefits but would only receive 16 or 17 weeks in that benefit year. Based on information from Workforce representatives, he was required to establish a new benefit year to receive an additional ten

weeks of benefits based on wages in his base period. The claimant contended the base period wages for the first benefit year were incorrect and he did not realize there was any problem until he established the second benefit year.

The issue of whether the claimant's base period wages was correct for the benefit year established during the week of January 15, 2006 and whether he filed a timely appeal on this issue is remanded to the Appeals Section to schedule a hearing on this issue.

Since the claimant has not received or earned any wages from an insured employer after he received benefits from his January 15, 2006 claim year, the claimant is not eligible to receive benefits as of January 14, 2007. If the claimant earns wages of at least \$250.00, he can open his claim and may then establish his eligibility to receive benefits.

**DECISION:**

The representative's January 25, 2007 decision (reference 01) is affirmed. Since the claimant received benefits for the weeks ending January 21 through May 20, 2006, but has not earned \$250.00 in wages from an insured employer between January 15, 2006, and January 14, 2007, he is not eligible to receive benefits as of January 14, 2007. This case is remanded to the Appeals Section to schedule a hearing on whether the claimant's base period wages for the benefit year established as of January 15, 2006, was correctly reported and whether the claimant filed a timely appeal on this issue.

---

Debra L. Wise  
Administrative Law Judge

---

Decision Dated and Mailed

dlw/kjw