

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MARLENE M SPEEDLING**  
Claimant

**APPEAL NO: 12A-UI-00559-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 01/01/12  
Claimant: Appellant (2)**

Iowa Code § 96.4(4) - Second Benefit Year \$250 Requirement

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's January 11, 2012 determination (reference 01) that held she was not eligible to receive benefits as of January 1, 2012, because she had not earned \$250 in wages since January 2, 2011. A hearing was scheduled on February 15, 2012. Based on the administrative record and the law, there is no need for a hearing. The administrative law judge finds the claimant has satisfied the \$250 wages requirement and is eligible to receive benefits as of January 1, 2012.

**ISSUE:**

Has the claimant satisfied the \$250 wage requirement to establish a second benefit year?

**FINDINGS OF FACT:**

The claimant established a claim for benefits during the week of January 2, 2011. She has filed for and received benefits since January 2, 2011.

After the claimant's first benefit year ended on December 31, 2011, she established a new or second benefit year as of January 1, 2012. The Department concluded she was monetarily eligible to receive \$415 in regular benefits as of January 1, 2012. The Department did not realize the claimant started working at Kohl's Department Store on November 18, 2011. When the claimant filed weekly claims for the weeks ending November 19, through December 31, 2011, she reported wages of more than \$250.

**REASONING AND CONCLUSIONS OF LAW:**

If a claimant has drawn benefits in any benefit year, she must, during or subsequent to that year, work in and be paid wages for insured work totaling at least \$250 as a condition to receive benefits in the next benefit year. Iowa Code § 96.4(4). The facts establish the claimant earned more than \$250 in wages from Kohl's Department Store, an insured employer, between November 18 and December 31, 2011.

The claimant satisfied the \$250 wage requirement to be eligible to receive regular benefits in a subsequent or second benefit year. This means the claimant is eligible to receive regular unemployment insurance benefits as of January 1, 2012.

**DECISION:**

The representative's January 11, 2012 determination (reference 01) is reversed. The claimant satisfied the \$250 wage requirement. She is eligible to receive benefits in a second or subsequent benefit year as of January 1, 2012.

---

Debra L. Wise  
Administrative Law Judge

---

Decision Dated and Mailed

dlw/kjw