

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ALISHIA M KILLINGWORTH
Claimant

APPEAL 20A-UI-07994-S1-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 10/20/19
Claimant: Appellant (1)

PL 116-136 Section 2107 – Pandemic Emergency Unemployment Compensation

STATEMENT OF THE CASE:

Alishia Killingworth (claimant) appealed a representative's June 27, 2020, decision (reference 04) that concluded the claimant was not eligible to receive Pandemic Emergency Unemployment Compensation. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was scheduled to be held on August 19, 2020. The claimant participated personally. The administrative law judge took official notice of the administrative file.

ISSUES:

The issue is whether the claimant is eligible to receive Pandemic Emergency Unemployment Compensation.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant filed for unemployment insurance benefits in Iowa with an effective date of October 20, 2019. Her weekly benefit amount was determined to be \$445.00. The claimant exhausted her maximum benefit amount the week ending June 20, 2020.

On June 21, 2020, IWD discovered the claimant was monetarily eligible for unemployment insurance benefits in Illinois. The claimant's employer Mobeilily reported her second and 3rd quarter earnings to Illinois. On June 27, 2020 the department (IWD), issued the claimant a decision denying eligibility for Pandemic Emergency Unemployment Compensation based on her monetary eligibility for benefits in Illinois.

In July 2020, the claimant applied for unemployment insurance benefits in Illinois and is now receiving benefits of \$474.00 per week.

REASONING AND CONCLUSIONS OF LAW:

PL 116-136 Sec 2107 provides in pertinent part:

PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION.

(2) PROVISIONS OF AGREEMENT. —

Any agreement under paragraph (1) shall provide that the State agency of the State will make payments of pandemic emergency unemployment compensation to individuals who—

(A) have exhausted all rights to regular compensation under the State law or under Federal law with respect to a benefit year (excluding any benefit year that ended before July 1, 2019);

(B) have no rights to regular compensation with respect to a week under such law **or any other State unemployment compensation law** or to compensation under any other Federal law;

(C) are not receiving compensation with respect to such week under the unemployment compensation law of Canada; and

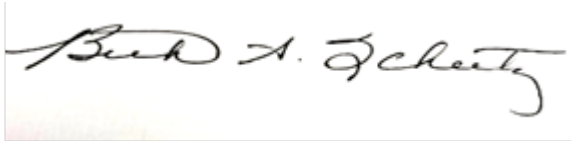
(D) are able to work, available to work, and actively seeking work.

(emphasis added).

A worker must exhaust all her rights to unemployment insurance benefits and be able and available for work to be eligible for Pandemic Emergency Unemployment Compensation. When a worker is eligible to receive regular unemployment insurance benefits, she is not eligible to receive Pandemic Emergency Unemployment Compensation. The claimant is monetarily eligible to receive regular unemployment insurance benefits in Illinois. She is not eligible to receive Pandemic Emergency Unemployment Compensation. Pandemic Emergency Unemployment Compensation benefits are denied effective June 21, 2020.

DECISION:

The June 27, 2020, (reference 04) unemployment insurance decision is affirmed. The claimant is not eligible to receive Pandemic Emergency Unemployment Compensation because she is monetarily eligible to receive unemployment insurance benefits in Illinois. Pandemic Emergency Unemployment Compensation benefits are denied effective June 21, 2020.



Beth A. Scheetz
Administrative Law Judge
Unemployment Insurance Appeals Bureau
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August 24, 2020
Decision Dated and Mailed

bas/scn