

**BEFORE THE  
EMPLOYMENT APPEAL BOARD  
Lucas State Office Building  
Fourth floor  
Des Moines, Iowa 50319**

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**MARIO J LEWIS**

Claimant,

and

**IOWA WORKFORCE DEVELOPMENT**

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**HEARING NUMBER: 15B-UI-00824**

**EMPLOYMENT APPEAL BOARD  
DECISION**

**NOTICE**

**THIS DECISION BECOMES FINAL** unless (1) a **request for a REHEARING** is filed with the Employment Appeal Board within **20 days** of the date of the Board's decision or, (2) a **PETITION TO DISTRICT COURT IS FILED WITHIN 30 days** of the date of the Board's decision.

A **REHEARING REQUEST** shall state the specific grounds and relief sought. If the rehearing request is denied, a petition may be filed in **DISTRICT COURT** within **30 days** of the date of the denial.

**SECTION: 96.4-4**

**DECISION**

**UNEMPLOYMENT BENEFITS ARE ALLOWED IF OTHERWISE ELIGIBLE**

The Claimant appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds it cannot affirm the administrative law judge's decision. The Employment Appeal Board **REVERSES** as set forth below.

**FINDINGS OF FACT:**

The administrative law judge's remanded this matter to the Iowa Workforce Development Center, Claims Section, for a wage investigation. The Claimant has since submitted missing wages information to Workforce.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.4(4)"c" provides:

If the 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 two hundred fifty dollars, as a condition to receive benefits in the next benefit year.

The Claimant submitted new and additional information that we accept, as it is material and relevant to the issue to be determined. Based on that new and additional information, the Claimant has proven that he has requalified by earning at least \$250 in insured work during or after his prior claim year. We would also note Workforce has already unlocked his claim.

**DECISION:**

The administrative law judge's decision dated February 20, 2015 is **REVERSED**. The Employment Appeal Board concludes that the Claimant has requalified for benefits within the meaning of the law.

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Kim D. Schmett

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Ashley R. Koopmans

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James M. Strohman

AMG/fnv