

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**BRAD M RICHARDSON**  
Claimant

**APPEAL NO. 09A-UI-16863-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**Original Claim: 11/09/08  
Claimant: Appellant (1)**

Public Law 110-252, Title VI. C – EUCU Eligibility

**STATEMENT OF THE CASE:**

The claimant appealed a representative's October 6, 2009 decision (reference 02) that held he was not eligible to receive Emergency Unemployment Compensation benefits because as of May 10, 2009, he was eligible to receive regular benefits from Georgia. A telephone hearing was held on December 3, 2009. 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 Emergency Unemployment Compensation benefits as of May 10, 2009?

**FINDINGS OF FACT:**

When the claimant established a claim during the week of November 9, 2008, he tried to file a Georgia claim, but was told Georgia did not have a record of any wages he earned in that state. As a result, the claimant established his claim in Iowa. When the claimant's regular benefits were exhausted the week ending May 9, Department representatives again told him to file for the Emergency Unemployment Compensation benefits because Georgia still did not recognize wages he had earned in that state. The claimant was told that after Georgia recognized his wages, the benefits he would receive in Georgia would offset the EUCU benefits he received in Iowa.

Ultimately, a regular unemployment insurance claim was established in Georgia with an effective date of May 10, 2009. The claimant started receiving regular unemployment insurance benefits from Georgia starting the week ending October 3, 2009.

**REASONING AND CONCLUSIONS OF LAW:**

The Emergency Unemployment Compensation (EUC) program was created by Public Law 110-252, Title VI. C. The act set several eligibility requirements. The law provides that a claimant may be eligible to receive EUCU benefits if he has no rights to regular compensation

under any State unemployment compensation law. Sec. 4001(b). Before a claimant is eligible for EUCU benefits, he must exhaust all rights to regular compensation under any State law. Sec. 4001(c).

The evidence establishes the claimant is monetarily eligible to receive regular unemployment insurance benefits in Georgia as of May 10, 2009. Therefore, he is not eligible to receive Emergency Unemployment Compensation benefits as of May 10, 2009.

**DECISION:**

The representative's October 6, 2009 decision (reference 02) is affirmed. The claimant is not eligible to receive Emergency Unemployment Compensation benefits from Iowa as of May 10, 2009, because he is eligible to receive regular unemployment benefits from Georgia as of that date.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/kjw