

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**LANA R WHITE**  
Claimant

**APPEAL NO. 12A-UI-01441-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 08/28/11  
Claimant: Appellant (1)**

Section 96.4-4 – Second Benefit Year Earnings Requirement

**STATEMENT OF THE CASE:**

Lana R. White filed a timely appeal from an unemployment insurance decision dated February 7, 2012, reference 01, that denied state unemployment insurance benefits to her effective August 28, 2011 upon a finding that she had not earned and been paid insured wages of at least \$250.00 since the beginning of her prior benefit year on August 29, 2010. After due notice was issued, a telephone hearing was held February 24, 2012 with Ms. White participating. The matter is considered on a consolidated record with 12A-UI-01456-AT. The administrative law judge takes official notice of agency benefit payment and overpayment records.

**ISSUE:**

Is the claimant eligible for state unemployment insurance benefits effective August 28, 2011?

**FINDINGS OF FACT:**

Lana R. White received unemployment insurance benefits during a benefit year that began August 29, 2010. She has not been employed since that time. After the expiration of that benefit year, she opened a new benefit year beginning August 28, 2011.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether Ms. White is eligible for state unemployment insurance benefits effective August 28, 2011. She is not.

Iowa Code section 96.4-4 imposes an additional eligibility requirement on claimants who have received benefits in a prior benefit year. In addition to meeting all other eligibility requirements the individual must establish continued attachment to the workforce. This is done by earning and being paid wages covered by some state's unemployment insurance system in the amount of at least \$250.00 since the beginning of the prior benefit year. Ms. White has not been employed since the beginning of her prior benefit year. Therefore, she is not eligible for state unemployment insurance benefits effective August 28, 2011.

**DECISION:**

The unemployment insurance decision dated February 7, 2012, reference 01, is affirmed. The claimant is ineligible for state unemployment insurance benefits effective August 28, 2011.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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