

**IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI**

**DARREL G DENNIS
511 – 6TH ST NW
MT VERNON IA 52314**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**Appeal Number: 05A-UI-05161-AT
OC: 04-24-05 R: 03
Claimant: Appellant (2)**

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.4-4 - \$250.00 Earnings Requirement

STATEMENT OF THE CASE:

Darrel G. Dennis filed a timely appeal from an unemployment insurance decision dated May 11, 2005, reference 01, which denied benefits to him upon a finding that he had not been paid insured wages of at least \$250.00 during or after the previous benefit year in which he had received unemployment insurance benefits. After reviewing the documentation submitted with the appeal letter, the administrative law judge concludes that no additional evidence is necessary. The administrative law judge takes official notice of Agency benefit payment records.

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: Darrel G. Dennis received unemployment insurance benefits during a benefit year which began on April 25, 2004. He was paid gross wages of \$1,518.75 from January 1 through April 22, 2005 by NCS Pearson. Federal and state income taxes and Social Security and Medicare taxes were deducted from his earnings. He has opened a new benefit year effective April 24, 2005.

REASONING AND CONCLUSIONS OF LAW:

The question is whether Mr. Dennis has met the earnings requirement of Iowa Code section 96.4-4 by earning and being paid insured wages of at least \$250.00 since the beginning of his 2004 benefit year. The claimant has submitted a pay stub establishing that he has. From this the administrative law judge concludes that the requirement of the statute has been met.

DECISION:

The unemployment insurance decision dated May 11, 2005, reference 01, is reversed. The claimant is entitled to receive unemployment insurance benefits, provided he is otherwise eligible.

tjc/sc