

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

REGINA A JOHNSON
Claimant

APPEAL NO. 10A-UI-06321-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 03/01/09
Claimant: Appellant (1)

Section 96.19(20) – Definition of Exhaustee

STATEMENT OF THE CASE:

Regina Johnson filed an appeal from a representative's decision dated April 20, 2010, reference 06, which held she was not eligible to receive training extension benefits because she was eligible for regular unemployment benefits. After due notice was issued, a hearing was held by telephone on June 11, 2010. Ms. Johnson participated personally.

ISSUE:

At issue in this matter is whether Ms. Johnson was eligible to receive training extension benefits.

FINDINGS OF FACT:

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Johnson filed a claim for extended job insurance benefits effective November 8, 2009 and was determined to be eligible to receive benefits. She had previously filed a claim for regular job insurance benefits effective March 1, 2009. The claim expired February 28, 2010. Ms. Johnson was required at that point to file a new claim for regular unemployment benefits. She has been found to be monetarily eligible to receive benefits on the new claim effective February 28, 2010.

REASONING AND CONCLUSIONS OF LAW:

In order to receive extended benefits, an individual has to have exhausted entitlement to all regular job insurance benefits. See Iowa Code section 96.19(2). In other words, the individual has to be what is referred to as an "exhaustee." Although Ms. Johnson had exhausted her regular benefits when she initially applied for extended benefits, she became eligible for regular benefits after the extended claim was processed. Because she was eligible to receive regular unemployment benefits as of February 28, 2010, she was not an "exhaustee" at that point. As such, her eligibility for extended benefits ended as of February 28, 2010.

DECISION:

The representative's decision dated April 20, 2010, reference 06, is hereby affirmed. Ms. Johnson was no longer eligible for extended benefits as of February 28, 2010 as she was no longer an "exhaustee" within the meaning of the law.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/pjs