

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SHELLEY A PORT
Claimant

APPEAL NO. 09A-UI-07455-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 05/03/09
Claimant: Appellant (2)

Section 96.4-4 – Second Benefit Year Earnings Requirement

STATEMENT OF THE CASE:

Shelley A. Port filed a timely appeal from an unemployment insurance decision dated May 13, 2009, reference 01, that denied unemployment insurance benefits to her. Due notice was issued for a telephone hearing to be held June 2, 2009. The hearing became unnecessary because the Unemployment Insurance Division issued a subsequent decision granting the relief the claimant requested.

ISSUE:

Has the claimant earned and been paid insured wages of at least \$250.00 since the beginning of her previous benefit year?

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: Shelley A. Port has been employed by a business covered by the unemployment insurance system and has been paid wages for her work in an amount exceeding \$250.00. This has occurred since the beginning of her benefit year on May 4, 2008.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the claimant has met the second benefit year earnings requirement of earning and being paid insured wages of at least \$250.00 in insured work since the beginning of the last benefit year in which she had received unemployment insurance benefits. This requirement is set forth in Iowa Code section 96.4-4. Evidence supplied by the Agency establishes that Ms. Port has met that requirement.

DECISION:

The unemployment insurance decision dated May 13, 2009, reference 01, is reversed. The claimant is entitled to receive unemployment insurance benefits effective May 3, 2009.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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