

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

AARON B CLAYTON
Claimant

APPEAL 20A-UI-10452-JC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 06/07/20
Claimant: Appellant (1)**

Iowa Admin. Code r. 871-24.2(4)d(1) – Cancellation of Unemployment Insurance Claim

STATEMENT OF THE CASE:

The claimant filed an appeal from the August 14, 2020, (reference 02) unemployment insurance decision that denied the request to cancel the claim. The claimant waived proper notice and a telephone hearing was conducted on September 17, 2020. The claimant participated personally. Office notice was taken of the administrative records.

ISSUE:

Whether the Benefits Bureau appropriately cancelled the June 7, 2020 original claim for benefits in light of the pre-existing Illinois claim.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed a claim for unemployment insurance (UI) benefits in Iowa effective June 19, 2019. He established an additional claim effective April 26, 2020 and exhausted benefits. In error, claimant received Pandemic Emergency Unemployment Compensation (PEUC), and it was discovered that claimant filed a claim in Illinois effective May 17, 2020.

Illinois requested a transfer of the claimant's Iowa wages, as a combined wage claim. The request was completed by Iowa. The claimant attempted to file a claim in Iowa with an effective date of June 7, 2020 but the claim was cancelled due to the existing Illinois claim.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-24.2(4)d provides:

Cancellation of unemployment insurance claim.

d. Other valid reasons for cancellation whether or not ten-day protest period has expired.

(1) The individual has an unexpired unemployment insurance claim in another state and is eligible for a remaining balance of benefits.

(2) The individual received erroneous information regarding entitlement or eligibility to unemployment insurance benefits from an employee of the department.

(3) The individual has an unexpired railroad unemployment insurance claim with a remaining benefit balance which was filed prior to the unemployment insurance claim.

(4) The individual exercises the option to cancel a combined wage claim within the ten days allowed by federal regulation.

(5) The individual has previously filed a military claim in another state or territory. Wages erroneously assigned to Iowa must be deleted and an interstate claim must be filed.

(6) Federal wages have previously been assigned to another state or territory or are assignable to another state or territory under federal regulation. Federal wages erroneously assigned to Iowa must be deleted and the appropriate type of claim filed.

(7) The Iowa wages are erroneous and are deleted and the wages from one other state were used, the claim shall be canceled and the wages returned to the transferring state.

Iowa Workforce Development appropriately cancelled the original claim that was effective June 7, 2020. The claimant had an existing Illinois claim at the time he attempted to establish the Iowa claim for benefits that was effective June 7, 2020. The claimant's wages from Iowa were transferred to Illinois for consideration in connection with the claim.

DECISION:

The August 14, 2020, (reference 02) initial decision is affirmed. The June 7, 2020 original claim for benefits was correctly cancelled due to the claimant's existing Illinois claim.



Jennifer L. Beckman
Administrative Law Judge
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September 29, 2020
Decision Dated and Mailed

jlb/sam