

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**REBECCA A DEMUTH**  
Claimant

**APPEAL NO. 12A-EUCU-00059-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 07/19/09**  
**Claimant: Appellant (1)**

Public Law 110-252 – Emergency Unemployment Compensation

**STATEMENT OF THE CASE:**

Rebecca A. DeMuth filed a timely appeal from an unemployment insurance decision dated January 31, 2012, reference 06, that ruled she was ineligible for emergency unemployment compensation benefits on her 2009 state unemployment insurance claim effective October 2, 2011 upon a finding that she was monetarily eligible for a state unemployment insurance claim as of that date. After due notice was issued, a telephone hearing was held February 24, 2012 on a consolidated record with 12A-EUCU-00033-AT, 12A-EUCU-00034-AT, 12A-EUCU-00060-AT and 12A-EUCU-00084-AT.

**ISSUE:**

Is the claimant monetarily eligible to receive state unemployment insurance benefits effective October 2, 2011?

**FINDINGS OF FACT:**

Rebecca A. DeMuth received wages from Cedar Valley Hospice, Inc. in the third and fourth calendar quarters of 2010 and the first and second calendar quarters of 2011. These wages were sufficient to make her monetarily eligible for state unemployment insurance benefits. Her weekly benefit amount on the claim is \$245.00. Administrative Law Judge decision 11A-UI-16472-ET denied benefits to Ms. DeMuth on that claim upon a finding that she did not meet the definition of being an unemployed individual. The Employment Appeal Board affirmed that decision on April 10, 2012.

**REASONING AND CONCLUSIONS OF LAW:**

As noted in decision 12A-EUCU-00033-AT Public Law 110-252 does not allow an individual to receive emergency unemployment compensation benefits for any week that the individual is *monetarily* eligible for state unemployment insurance benefits. Ms. DeMuth is monetarily eligible for benefits effective October 2, 2011 because of her earnings. She has, however, been held ineligible because she does not meet the statutory definition of an unemployed individual.

**DECISION:**

The unemployment insurance decision dated January 31, 2012, reference 06, is affirmed. The claimant is ineligible for emergency unemployment compensation benefits on her July 19, 2009 claim effective October 2, 2011.

---

Dan Anderson  
Administrative Law Judge

---

Decision Dated and Mailed

css/css