

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**MICHELLE R ALLEN**  
Claimant

**APPEAL NO. 20A-UI-13312-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 04/19/20**  
**Claimant: Appellant (1)**

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Public Law 110-252, Title IV – Eligibility for Emergency Unemployment Compensation  
Iowa Code 96.29(1)(c) – Qualifying Wage Requirement for Extended Benefits

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the October 14, 2020, reference 03, decision that concluded she was not qualified for emergency unemployment compensation (EUC) because she did not meet the minimum base period earnings requirement. After due notice, a hearing was held on December 18, 2020. The claimant participated. The administrative law judge took official notice of the following Agency administrative records: DBRO and WAGE-A.

**ISSUE:**

Does the claimant have sufficient wages in her base period to qualify for EUC benefits?

**FINDINGS OF FACT:**

The claimant filed a new claim for unemployment insurance benefits with an effective date of April 19, 2020. The claimant's base period consists of the fourth quarter of 2019. The claimant earned no wages and was paid no wages for the first and second quarter of 2019. The claimant's wages for the third quarter of 2019 totaled \$861.00. The claimant's wages for the fourth quarter of 2019 totaled \$2,304.00. The claimant's total base period wages did not equal 1.5 times the wages in her highest earning base period quarter.

The claimant received \$1,055.00 in regular benefits for the period of April 19, 2020 through July 4, 2020 and then exhausted regular benefits. The claimant received \$1,300.00 in Pandemic Emergency Unemployment Compensation for the period of July 5, 2020 through October 3, 2020. The claimant received Federal Pandemic Unemployment Compensation benefits for the period of April 19, 2020 through July 25, 2020. The claimant received Lost Wages Assistance benefits for the period of July 26, 2020 through September 5, 2020. By October 3, 2020, the claimant had exhausted all eligibility for regular state benefits and for federal benefits.

**REASONING AND CONCLUSIONS OF LAW:**

The Emergency Unemployment Compensation (EUC) program was created by Public Law 110-252, Title VI. This new temporary unemployment insurance program provides up to 13 additional weeks of unemployment benefits to certain workers who have exhausted their rights to regular unemployment compensation benefits.

Section 4001(d)(2)(A) of the EUC Act states that persons shall not be eligible for EUC unless they have “20 weeks of full-time insured employment or the equivalent in insured wages” in their base period as determined by the state law implementing the Extended Unemployment Compensation Act of 1970.

The Extended Unemployment Compensation Act of 1970 allowed states to choose one of three methods for determining an “equivalent of 20 weeks of full-time insured employment.” The method Iowa chose is in Iowa Code § 96.29(1)(c), which requires claimants have total base period wages of at least 1.5 times the wages paid during the quarter of the base period in which their wages were highest.

The claimant is not ineligible for EUC because the total wages in the base period, \$3,165.00, were not at least 1.5 times her high quarter wages, \$2,04.00. In order to meet the minimum earnings requirements, the claimant wages for the first through third quarters of 2019 would need to have totaled \$1, 152.00.

**DECISION:**

The October 14, 2020, reference 03, decision is affirmed. The claimant does not have sufficient wages in her base period to qualify for EUC benefits



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James E. Timberland  
Administrative Law Judge

December 31, 2020  
Decision Dated and Mailed

jet/scn