

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CLARA L HILLER
Claimant

APPEAL NO. 10A-EUCU-01164-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 09/14/08
Claimant: Appellant (1)

Public Law 110-252 – Emergency Unemployment Compensation

STATEMENT OF THE CASE:

Clara L. Hiller filed a timely appeal from an unemployment insurance decision dated December 8, 2010, reference 02, that held her ineligible for Emergency Unemployment Compensation effective July 4, 2010 upon a finding that she was monetarily eligible for a state unemployment insurance claim effective that date. After due notice was issued, a telephone hearing was held January 22, 2011 with Ms. Hiller participating. This matter is considered on a consolidated record with 10A-EUCU-01165-AT, 10A-EUCU-01166-AT and 10A-EUCU-01167-AT. The administrative law judge takes official notice of agency benefit payment records, wage records and overpayment records.

ISSUE:

Is the claimant eligible for Emergency Unemployment Compensation effective July 4, 2010?

FINDINGS OF FACT:

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: Clara L. Hiller was paid wages by K-Mart Corporation during the fourth calendar quarter of 2009 and the first calendar quarter of 2010. Her wages were sufficient to establish a state unemployment insurance claim effective July 4, 2010. Her weekly benefit amount is substantially lower than her weekly benefit amount had been on a claim filed effective September 14, 2008. Ms. Hiller had received both state unemployment insurance and Emergency Unemployment Compensation benefits on her 2008 claim. She was not monetarily eligible for a new state unemployment insurance claim until July 4, 2010.

REASONING AND CONCLUSIONS OF LAW:

Public Law 110-252, the federal statute establishing the Emergency Unemployment Compensation Program and setting the eligibility requirements for Emergency Unemployment Compensation, denies Emergency Unemployment Compensation to an individual for any week that the individual is monetarily eligible for regular state unemployment insurance benefits. The evidence in this record establishes that Ms. Hiller became monetarily eligible for a new state

claim on July 4, 2010. Therefore, she is not eligible for Emergency Unemployment Compensation as of that date. A review of agency wage records persuades the administrative law judge that Ms. Hiller was not monetarily eligible for a new state unemployment insurance claim prior to July 4, 2010.

DECISION:

The unemployment insurance decision dated December 8, 2010, reference 02, is affirmed. The claimant is not eligible for Emergency Unemployment Compensation effective July 4, 2010.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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