

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KAREN K BOGAARDS
Claimant

APPEAL NO: 12A-UI-05224-DT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 04/22/12
Claimant: Appellant (2)**

Section 96.4-4 – Second Benefit Year Qualification

STATEMENT OF THE CASE:

Karen K. Bogaards (claimant) appealed a representative's May 2, 2012 decision (reference 01) that concluded the claimant was not eligible to receive unemployment insurance benefits for a second benefit year because the claimant had not been paid insured wages of at least \$250.00. A hearing notice was mailed to the claimant's last-known address of record for a telephone hearing to be held on June 1, 2012. Prior to the hearing being held, the administrative law judge determined that no hearing was necessary and that a decision could be made on the record. Based on a review of the available information and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Is the claimant is eligible to receive unemployment insurance benefits for a second benefit year?

FINDINGS OF FACT:

The claimant established a claim for unemployment insurance benefits for a claim year beginning April 17, 2011, ending April 15, 2012. She filed a subsequent claim effective April 22, 2012. During the first quarter 2012, the claimant did earn wages in excess of \$250.00.

REASONING AND CONCLUSIONS OF LAW:

If an individual has drawn benefits in any benefit year, the individual must, during or subsequent to that year, work in and be paid wages totaling at least \$250.00 as a condition to receive benefits in the next benefit year. Iowa Code § 96.4-4

The evidence shows that at least \$250.00 was earned and paid after April 17, 2011 and before April 22, 2012. The claimant is eligible for benefits in the new benefit year.

DECISION:

The representative's May 2, 2012 decision (reference 01) is reversed. The claimant is entitled to receive unemployment insurance benefits during the claim year beginning April 22, 2012, provided she meets all other eligibility requirements.

Lynette A. F. Donner
Administrative Law Judge

Decision Dated and Mailed

ld/kjw