

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JEFFREY D MAASSEN
Claimant

APPEAL 19A-UI-06045-S1-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 07/21/19
Claimant: Appellant (2)**

Iowa Code § 96.4(4) – Monetary Eligibility and Subsequent Benefit Year

STATEMENT OF THE CASE:

Jeffrey Maassen (claimant) appealed monetary record dated July 25, 2019 (reference 02) that concluded he was not eligible to receive unemployment insurance benefits because of not having sufficient wages in the base period to be eligible to draw benefits. After hearing notices were mailed to the claimant's last-known address of record, a telephone hearing was held on August 22, 2019. The claimant participated personally. The claimant offered and Exhibit A was received into evidence. The administrative law judge took official notice of the administrative record.

ISSUE:

The issue is whether the claimant's monetary record is correct.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant filed for unemployment insurance benefits with an effective date of July 21, 2019. The claimant's base period of employment includes the second quarter of 2018 through the first quarter of 2019. On July 25, 2019, a monetary record was issued indicating the claimant was not eligible to receive unemployment insurance benefits. It showed the claimant earned \$9,237.00 in the second quarter of 2018 from Hoovestol, Inc.

On August 1, 2019, the department issued a corrected monetary record showing wages from Nebraska in the second, third, and fourth quarters of 2018, and the first quarter of 2019. The corrected monetary record indicated the claimant's weekly unemployment insurance benefit amount was \$481.00, so long as he was eligible to receive unemployment insurance benefits.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow the administrative law judge concludes the claimant's July 25, 2019, monetary record was incorrect. The August 1, 2019, monetary record is correct.

Iowa Code section 96.4(4)a-b-c provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

a. The individual has been paid wages for insured work during the individual's base period in an amount at least one and one-quarter times the wages paid to the individual during that quarter of the individual's base period in which the individual's wages were highest; provided that the individual has been paid wages for insured work totaling at least three and five-tenths percent of the statewide average annual wage for insured work, computed for the preceding calendar year if the individual's benefit year begins on or after the first full week in July and computed for the second preceding calendar year if the individual's benefit year begins before the first full week in July, in that calendar quarter in the individual's base period in which the individual's wages were highest, and the individual has been paid wages for insured work totaling at least one-half of the amount of wages required under this paragraph in the calendar quarter of the base period in which the individual's wages were highest, in a calendar quarter in the individual's base period other than the calendar quarter in which the individual's wages were highest. The calendar quarter wage requirements shall be rounded to the nearest multiple of ten dollars.

b. For an individual who does not have sufficient wages in the base period, as defined in section 96.19, to otherwise qualify for benefits pursuant to this subsection, the individual's base period shall be the last four completed calendar quarters immediately preceding the first day of the individual's benefit year if such period qualifies the individual for benefits under this subsection.

(1) Wages that fall within the alternative base period established under this paragraph "b" are not available for qualifying benefits in any subsequent benefit year.

(2) Employers shall be charged in the manner provided in this chapter for benefits paid based upon quarters used in the alternative base period.

c. If the individual has drawn benefits in any benefit year, the individual must during or subsequent to that year, work in and be paid wages for insured work totaling at least eight times the individual's weekly benefit amount, as a condition to receive benefits in the next benefit year.

The claimant agrees with the corrected August 1, 2019, monetary record as issued by the department. Benefits are allowed, provided the claimant is otherwise eligible.

DECISION:

The monetary record dated July 25, 2019 (reference 02) is modified in favor of the appellant. The corrected August 1, 2019, monetary record as issued by the department is correct. Benefits are allowed, provided the claimant is otherwise eligible.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/rvs