

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JONI D WICHERT
Claimant

APPEAL NO: 13A-UI-13889-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

NEBRASKA COAST INC
Employer

OC: 08/11/13
Claimant: Appellant (4/R)

Iowa Code 96.6(3) – Previously Adjudicated

PROCEDURAL STATEMENT OF THE CASE:

The Appeals Section set up an appeal from an August 26, 2013 determination (reference 02) that disqualified the claimant from receiving benefits based on the determination issued on April 2, 2013; see decision for Appeal No. 13A-UI-13888-DWT. The claimant participated at the January 13, 2014 hearing. The employer initially appeared for the hearing, but did not participate after the claimant stated she had not appealed the April 2 or August 26 determinations. The claimant only questioned why she was not held eligible to receive benefits after she earned requalifying wages. As a result of the issue the claimant appealed, the employer chose not to participate at the hearing. Based on information the claimant presented at the hearing, the claimant established she earned requalifying wages of June 16, 2013.

FINDINGS OF FACT:

The claimant earned requalifying wages after March 8, 2013. Based on the decision for appeal 13A-UI-13888-DWT, the claimant is eligible to receive benefits as of June 16, 2013.

REASONING AND CONCLUSIONS OF LAW:

A claimant is disqualified from receiving unemployment insurance benefits until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible. Iowa Code § 96.5(2)a. The evidence establishes that after the claimant's employment ended on March 8, 2013, she started working for another employer in April 10, 2013. Based on wages the claimant earned from April 10 through June 16, she earned more than ten times her weekly benefit amount or more than \$2410. Based on the decision for appeal 13A-UI-13888-DWT, the claimant is eligible to receive benefits as of June 16, 2013.

DECISION:

The claimant did not appeal the April 2, 2013 determination (reference 05) or the August 26, 2013 determinations. Since the claimant earned requalifying wages as of June 16, 2013, and the decision for appeal 13A-UI-13888-DWT this determination is modified in the claimant's favor.

Since the claimant has requalified to receive benefits as of June 16, 2013, this matter is **Remanded** to the Claims Section to determine the amount of benefits she is eligible to receive as of June 16, 2013. The Claims Section is also directed to review the benefits paid to the claimant as of August 11, 2013, to make sure she has been properly paid benefits she was entitled to receive as of June 16, 2013.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs