

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ALAN R KRAUS**  
Claimant

**APPEAL NO: 13A-UI-02108-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 02/03/13**  
**Claimant: Appellant (1)**

Iowa Code § 96.4(4) - Second Benefit Year \$250 Requirement

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's February 13, 2013 determination (reference 01) that held he was not eligible to receive regular unemployment insurance benefits in a subsequent benefit year (as of February 3, 2013) because he had not earned wages of at least \$250 since February 5, 2012. The claimant did not respond to the hearing notice or participate in the phone hearing. Based on the administrative record and the law, the administrative law judge concludes the claimant has not satisfied the \$250 wage requirement as of February 3, 2013, and is not eligible to receive benefits until he earns \$250 in wages.

**ISSUE:**

Has the claimant satisfied the \$250 wage requirement to establish a second benefit year?

**FINDINGS OF FACT:**

The claimant established a claim for benefits during the week of February 5, 2012. He filed for and received benefits since February 5, 2012. When the claimant's first benefit year ended on February 2, 2013, the Department concluded he was monetarily eligible to establish a subsequent benefit year. As of February 3, 2013, the claimant has not yet earned \$250 in wages since February 5, 2012.

**REASONING AND CONCLUSIONS OF LAW:**

If a claimant has drawn benefits in any benefit year, the claimant must, during or subsequent to that year, work in and be paid wages for insured work totaling at least \$250, as a condition to receive benefits in the next benefit year. Iowa Code § 96.4(4). The facts establish the claimant did not work and earn \$250 in wages from an insured employer from February 5, 2012, through February 3, 2013. Since the claimant has not earned \$250 in wages, he is not eligible as of February 3, 2013, to receive regular unemployment insurance benefits.

**DECISION:**

The representative's February 13, 2013 determination (reference 01) is affirmed. The claimant has not satisfied the \$250 wage requirement to establish a second or subsequent benefit year as of February 3, 2013. Therefore, until the claimant earns \$250 or more in wages, he is not eligible to receive benefits in a subsequent benefit year.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/pjs