

**IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI**

**KAREN M TWIT  
946 – 41<sup>ST</sup> ST  
WEST DES MOINES IA 50265**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**Appeal Number: 04A-UI-00410-AT  
OC: 12-28-03 R: 02  
Claimant: Appellant (1)**

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319.**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.4-4 - \$250.00 Earnings Requirement

STATEMENT OF THE CASE:

Karen M. Twit filed a timely appeal from an unemployment insurance decision dated January 7, 2004, reference 01, which denied benefits to her effective December 28, 2003 upon a finding that she had not earned and been paid insured wages of at least \$250.00 since the beginning of the last benefit year in which she had received unemployment insurance benefits. After due notice was issued, a telephone hearing was held February 3, 2004 with Ms. Twit participating.

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: Karen M. Twit received unemployment insurance benefits during a benefit year which began December 29, 2002. She has not been employed since the beginning of that benefit year. She has now filed a new benefit year effective December 28, 2003.

REASONING AND CONCLUSIONS OF LAW:

The question is whether Ms. Twit is eligible for unemployment insurance benefits at this time. She is not. Iowa Code Section 96.4-4 adds an additional eligibility requirement for claimant's who have received unemployment insurance benefits in a prior benefit year. The additional requirement is that the individual must establish that after the beginning of the last benefit year in which benefits were paid that the individual was employed by some business covered by some state's unemployment insurance system and was paid at least \$250.00 in gross wages. Ms. Twit does not meet that eligibility requirement because she has not been employed since the beginning of her benefit year in December 2002. Unless or until she meets that requirement, she is not eligible to receive further unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated January 7, 2004, reference 01, is affirmed. The claimant is ineligible for unemployment insurance benefits at this time.

tjc/b