

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MICHAEL E SOARD**  
Claimant

**APPEAL NO. 09A-UI-05114-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 02/01/09**  
**Claimant: Appellant (1)**

871 IAC 24.2(4)d(1) – Existing Unemployment Claims

**STATEMENT OF THE CASE:**

Michael E. Soard filed a timely appeal from an unemployment insurance decision dated March 20, 2009, reference 01, that advised him that Iowa Workforce Development would cancel his Iowa interstate claim filed effective February 1, 2009 upon a finding that he still had an open benefit year through the state of Florida. After due notice was issued, a telephone hearing was held April 27, 2009 with Mr. Soard participating.

**ISSUE:**

Must Iowa cancel the claim filed effective February 1, 2009?

**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: Michael E. Soard filed a claim for unemployment insurance benefits through the state of Florida in February 2008. That claim expired on February 9, 2009.

Iowa Workforce Development established a benefit year for Mr. Soard on February 8, 2009.

**REASONING AND CONCLUSIONS OF LAW:**

Was it necessary for Iowa to cancel Mr. Soard's claim filed effective February 1, 2009.

An individual may not have open unemployment insurance benefit years in more than one state at a time. Since Mr. Soard's benefit year in Florida lasted throughout the week of February 1, 2009, it was error for Iowa to open its own benefit year for him that week. The Agency has rectified the situation by opening a benefit year for Mr. Soard effective February 8, 2009.

**DECISION:**

The unemployment insurance decision dated March 20, 2009, reference 01, is affirmed. It was necessary for the Agency to cancel the claim filed effective February 1, 2009 because of the existence of an open benefit year in another state.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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