

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DENNIS E MCGUIRE
Claimant

APPEAL NO. 11A-UI-06186-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

WAL-MART STORES INC
Employer

OC: 04/17/11
Claimant: Appellant (2)

Section 96.5-1-g – Requalifying for Benefits

STATEMENT OF THE CASE:

Dennis E. McGuire filed a timely appeal from an unemployment insurance decision dated April 27, 2011, reference 02, that denied unemployment insurance benefits upon a finding that he had not earned ten times his weekly benefit amount in wages for insured work since a fact-finding decision dated March 28, 2011, disqualified him for benefits. After reviewing all matters of record, the administrative law judge concludes that a formal hearing is not required.

ISSUE:

Must the claimant earn ten times his weekly benefit amount in wages for insured work in order to become eligible for unemployment insurance benefits?

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: The fact-finding decision disqualifying Dennis E. McGuire for unemployment insurance benefits was reversed by administrative law judge decision 11A-UI-04212-MT on April 28, 2011.

REASONING AND CONCLUSIONS OF LAW:

An individual requalifies for unemployment insurance benefits following a disqualifying separation from employment by earning ten times his or her weekly benefit amount in wages for insured work with subsequent employers. See Iowa Code sections 96.5-1-g and 96.5-2-a. These provisions of the law do not apply in the present case, because the disqualifying separation has been reversed.

DECISION:

The unemployment insurance decision dated April 27, 2011, reference 02, is reversed. The claimant is entitled to receive unemployment insurance benefits, provided he is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw