

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

WENDI B DEHAAI
Claimant

APPEAL NO. 10A-EUCU-00137-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**Original Claim: 01/17/10
Claimant: Appellant (4)**

Section 96.4-4 – Eligibility for Benefits

STATEMENT OF THE CASE:

Wendy B. DeHaai filed a timely appeal from an unemployment insurance decision dated February 10, 2010, reference 01, that denied unemployment insurance benefits to her upon a finding that she had not earned and been paid insured wages of at least \$250.00 since the beginning of her benefit year on January 18, 2009. With the consent of the claimant, a telephone hearing was held February 25, 2010, with Ms. DeHaai participating. The administrative law judge takes official notice of Agency benefit payment records.

ISSUE:

Is the claimant eligible for unemployment insurance benefits through February 6, 2010?

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: Wendy B. DeHaai attempted to open a new benefit year effective January 17, 2010. She was not eligible for benefits because she had not earned and been paid covered wages of at least \$250.00 since the beginning of her benefit year in January of 2009. After exhausting state benefits, Ms. DeHaai received federal emergency unemployment compensation benefits from December 13, 2009, through January 30, 2010. When she attempted to file a weekly claim for the week ending February 6, 2010, the voice response unit would not accept the request. Ms. DeHaai was unemployed during the week ending February 6, 2010. She began new full-time employment on February 8, 2010.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the claimant is eligible to receive either state or federal unemployment insurance benefits. The evidence persuades the administrative law judge that the claimant is not eligible for a new state claim effective January 17, 2010, because she does not meet the second benefit year earnings requirement established in Iowa Code section 96.4-4 of earning and being paid covered wages of at least \$250.00 since the beginning of the prior benefit year. Nevertheless, the evidence establishes that the claimant has a remaining balance on her federal emergency unemployment compensation that began December 13, 2009. The

administrative law judge concludes from the evidence in the record that the claimant is entitled to receive federal emergency unemployment compensation benefits through February 6, 2010. All benefits except for the last week have already been paid.

DECISION:

The unemployment insurance decision dated February 10, 2010, reference 01, is modified in the claimant's favor. While she is not eligible to receive unemployment insurance benefits on and after January 17, 2010 on a new state claim, she is entitled to receive federal emergency unemployment compensation benefits through the week ending February 6, 2010. The Agency shall promptly pay benefits for that final week to the claimant.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw