

**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**

**FREDDRIC D MURRAY
2861 STEVENS AVE
FREDERICKSBURG IA 50630**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**Appeal Number: 04A-UI-12042-CT
OC: 10/24/04 R: 03
Claimant: Appellant (2)**

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, 4th 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.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.4(4) – Second Benefit Year Requalification

STATEMENT OF THE CASE:

Freddric Murray filed an appeal from a representative's decision dated November 3, 2004, reference 01, which held he had not earned sufficient wages to qualify for a second benefit year. Due notice was issued scheduling the matter for a telephone hearing to be held on December 3, 2004. However, because of documentation presented by Mr. Murray prior to the hearing, a hearing was deemed unnecessary. The documentation was marked as Exhibit A and admitted to the record.

FINDINGS OF FACT:

Having reviewed all the evidence in the record, the administrative law judge finds: Subsequent to his previous benefit year, Mr. Murray worked for Tropical Tanning in Waterloo, Iowa. The business has an employer account number with Iowa Workforce Development. For the pay period ending October 9, 2004, he had gross earnings of \$300.00. Appropriate state and federal taxes were withheld from the earnings. He received his pay in a check dated October 11, 2004. Mr. Murray filed his current claim effective October 24, 2004.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Mr. Murray has requalified for a second benefit year. In order to receive job insurance benefits during a second benefit year, he had to have earned at least \$250.00 in insured wages subsequent to the filing of the prior claim. The administrative law judge is satisfied that the \$300.00 in gross wages Mr. Murray earned prior to filing his current claim were for insured work. Tropical Tanning has an employer account with Iowa Workforce Development and deducted appropriate taxes from Mr. Murray's pay. For the above reasons, the administrative law judge concludes that he has requalified for a second benefit year.

DECISION:

The representative's decision dated November 3, 2004, reference 01, is hereby reversed. Mr. Murray has requalified for a second benefit year. Benefits are allowed, provided he satisfies all other conditions of eligibility.

cfc/kjf