

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

MICHAEL O HUGHES
Claimant

APPEAL 21A-UI-13214-S2-T
ADMINISTRATIVE LAW JUDGE
DECISION

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 05/23/21
Claimant: Appellant (1)

Iowa Code § 96.4(4) – Determination of Benefits
Iowa Code § 96.4(4)a-c – Monetary Eligibility and Subsequent Benefit Year

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the June 2, 2021 monetary determination. After due notice was issued, a telephone hearing was held on July 16, 2021. Claimant participated. The administrative law judge took official notice of the claimant's unemployment insurance benefits records.

ISSUES:

Is the monetary record dated June 2, 2021, correct?
Is the claimant monetarily eligible for benefits effective May 23, 2021?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

The base period for the original claim effective May 23, 2021 includes the first, second, third, and fourth quarters of 2020. The monetary record for those quarters is correct as claimant did not earn insured wages for this period.

Claimant is self-employed and received Pandemic Unemployment Assistance ("PUA") for a one-year period, but the receipt of those benefits was set to end on April 3, 2021.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the monetary record is correct and claimant is not monetarily eligible due to lack of qualified earnings.

Iowa Code section 96.4(4)a provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

4. a. The individual has been paid wages for insured work during the individual's base period in an amount at least one and one-quarter times the wages paid to

the individual during that quarter of the individual's base period in which the individual's wages were highest; provided that the individual has been paid wages for insured work totaling at least three and five-tenths percent of the statewide average annual wage for insured work, computed for the preceding calendar year if the individual's benefit year begins on or after the first full week in July and computed for the second preceding calendar year if the individual's benefit year begins before the first full week in July, in that calendar quarter in the individual's base period in which the individual's wages were highest, and the individual has been paid wages for insured work totaling at least one-half of the amount of wages required under this paragraph in the calendar quarter of the base period in which the individual's wages were highest, in a calendar quarter in the individual's base period other than the calendar quarter in which the individual's wages were highest. The calendar quarter wage requirements shall be rounded to the nearest multiple of ten dollars.

(emphasis added).

While claimant in this case has earned wages through self-employment, those are not "insured wages" and therefore cannot be added to his monetary record. Therefore, the administrative law judge concludes the monetary record is correct. The claimant is not monetarily eligible for regular unemployment insurance benefits.

DECISION:

The June 2, 2021 monetary record is affirmed. The claimant is not monetarily eligible for regular unemployment insurance benefits.



Stephanie Adkisson
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July 26, 2021
Decision Dated and Mailed

sa/ol