

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

MICHAEL R DIETRICK
Claimant

APPEAL 17A-UI-06101-DG-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 05/28/17
Claimant: Appellant (1)**

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

STATEMENT OF THE CASE:

Claimant filed a timely appeal from the June 7, 2017 (reference 02) unemployment insurance decision that denied benefits because of a lack of at least \$250.00 in insured wages during or after the prior claim year. After due notice was issued, a hearing was held on June 29, 2017. Claimant participated.

ISSUE:

Did the claimant earn insured wages of \$250.00 or more during or after the previous benefit year to be eligible for a second benefit year?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant submitted evidence of wages that were not conclusive. The wages did not have dates earned, and there was not sufficient information on the documents to determine when and where the wages were earned. Claimant was not able to provide additional information during the hearing.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant is ineligible to receive benefits during the subsequent benefit year. It appears that he does not have sufficient wages in the base period from other employers from the documents he provided. The burden is on the claimant to provide sufficient information to support his claim.

Iowa Code section 96.4(4)a and c 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.

c. If the individual has drawn benefits in any benefit year, the individual must during or subsequent to that year, work in and be paid wages for insured work totaling at least two hundred and fifty dollars, as a condition to receive benefits in the next benefit year.

Because the claimant was not able demonstrate to the satisfaction of the Administrative Law Judge that he has an ongoing connection to the labor market by earning at least \$250.00 in insured wages during or subsequent to the claim year he is ineligible to receive benefits during the current claim year beginning May 28, 2017.

DECISION:

The June 7, 2017, (reference 02) unemployment insurance decision is affirmed. The claimant is ineligible to receive benefits during the current claim year beginning May 28, 2017. If claimant does earn \$250.00 in insured wages he may present evidence of that to the local office to determine eligibility.

Duane L. Golden
Administrative Law Judge

Decision Dated and Mailed

dlg/scn