

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MARK C SHAW**  
Claimant

**APPEAL NO. 12A-UI-03297-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 03/11/12  
Claimant: Appellant (1)**

Section 96.4-4 – Second Benefit Year Earnings Requirement

**STATEMENT OF THE CASE:**

Mark C. Shaw filed a timely appeal from an unemployment insurance decision dated March 21, 2012, reference 01, that ruled he was ineligible for state unemployment insurance benefits effective March 11, 2012 because he had not earned and been paid insured wages of at least \$250.00 since the beginning of the most recent benefit year during which he had received benefits. After due notice was issued, a telephone hearing was held April 16, 2012 with Mr. Shaw participating.

**ISSUE:**

Has the claimant met the second benefit year earnings requirement?

**FINDINGS OF FACT:**

Mark C. Shaw filed a claim for unemployment insurance benefits during the week of March 6, 2011. He has received unemployment insurance benefits on that claim. He has not been employed since then. A new benefit year began March 11, 2012.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the claimant is eligible for state unemployment insurance benefits effective March 11, 2012. He is not.

Iowa Code section 96.4-4 imposes an additional eligibility requirement on individuals who have received unemployment insurance benefits during a previous benefit year. In order to establish continued attachments to the work force, the individual must show that he or she has been employed and has earned and been paid wages covered by the Unemployment Insurance System in the amount of at least \$250.00 since the beginning of the previous benefit year. Mr. Shaw has not been employed since the beginning of his previous benefit year on March 6, 2011. Therefore, he is not eligible to receive state unemployment insurance benefits effective March 11, 2012.

**DECISION:**

The unemployment insurance decision dated March 21, 2012, reference 01, is affirmed. The claimant is not eligible for state unemployment insurance benefits effective March 11, 2012.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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