

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DAVID L TURNER**  
Claimant

**APPEAL NO. 09A-UI-08076-ST**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 05/10/09**  
**Claimant: Appellant (1)**

Section 96.4-4 – Earnings Requirement/Between Benefit Years

**STATEMENT OF THE CASE:**

An appeal was filed from a representative's decision dated May 20, 2009, reference 02. A hearing was held on June 22, 2009. The claimant did not participate.

**ISSUE:**

The issue is whether the claimant has earned \$250.00 between benefit years.

**FINDINGS OF FACT:**

The administrative law judge having considered the evidence in the record, finds that: The claimant was separated from his employment at Ahrens Agricultural Industries on May 8, 2008, and he filed an unemployment claim on May 11, 2008. The claimant received benefits on his claim.

The claimant has not worked for any employer and earned wages for insured work since his separation from Ahrens.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.4-4 provides:

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

4. 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 subsection 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.

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 fifty dollars, as a condition to receive benefits in the next benefit year.

The administrative law judge concludes that the claimant is not eligible to receive benefits on his current unemployment claim effective May 10, 2009, because he does not meet the earnings qualification requirement of \$250.00 of insured work since his prior claim, May 8, 2008.

The law requires an unemployed individual to work and earn at least \$250.00 for insured work during or subsequent to a benefit year in order to be eligible for a second benefit year. The department has no earnings record that the claimant has worked since being separated from employment at Ahrens on May 8, 2008.

**DECISION:**

The decision of the representative dated May 20, 2009, reference 02, is affirmed. The claimant is not eligible to receive benefits effective May 10, 2009 until he has worked in and been paid wages for insured work of at least \$250.00, provided he is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

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