

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**RYAN D SMITH**  
Claimant

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**APPEAL 20A-UI-04213-S1-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 04/26/20**  
**Claimant: Appellant (2)**

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871 IAC 24.2(4)d(1) – Cancellation of Unemployment Insurance Claim

**STATEMENT OF THE CASE:**

Ryan Smith (claimant) appealed a representative's May 11, 2020, decision (reference 01) that cancelled his claim for benefits. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on June 3, 2020. The claimant did participate. The claimant offered and Exhibits A and B were received into evidence. The administrative law judge took official notice of the administrative file.

**ISSUE:**

The issue is whether the claimant's request to reinstate the Iowa claim for unemployment insurance benefits should be granted.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant lived in Iowa until he moved to Florida in January 2020. He worked in Florida from January 18, 2020, to March 2020. The claimant filed a claim for UI benefits in Florida on April 19, 2020. Florida determined the claimant was ineligible to receive regular unemployment insurance benefits. He was eligible for \$125.00 per week in Disaster Relief Assistance effective April 19, 2020. A worker in Florida advised the claimant to file in Iowa. The State of Florida has not issued the claimant any funds.

The claimant filed for unemployment insurance benefits in Iowa with an effective date of April 26, 2020. His base period wages were earned while he lived and worked in Iowa. His weekly benefit amount was determined to be \$500.00. As of the date of the hearing, the claimant had received benefits of \$500.00 per week from April 26, 2020, to the week ending May 30, 2020. This is a total of \$2,500.00 in state unemployment insurance benefits. He also received \$3,000.00 in federal pandemic unemployment compensation for the six-week period ending May 30, 2020.

## **REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant's request to reinstate the Iowa claim for unemployment insurance benefits effective April 19, 2020, is granted.

Iowa Admin. Code r. 871-24.2(4)d provides:

Cancellation of unemployment insurance claim.

d. Other valid reasons for cancellation whether or not ten-day protest period has expired.

(1) The individual has an unexpired unemployment insurance claim in another state and is eligible for a remaining balance of benefits.

(2) The individual received erroneous information regarding entitlement or eligibility to unemployment insurance benefits from an employee of the department.

(3) The individual has an unexpired railroad unemployment insurance claim with a remaining benefit balance which was filed prior to the unemployment insurance claim.

(4) The individual exercises the option to cancel a combined wage claim within the ten days allowed by federal regulation.

(5) The individual has previously filed a military claim in another state or territory. Wages erroneously assigned to Iowa must be deleted and an interstate claim must be filed.

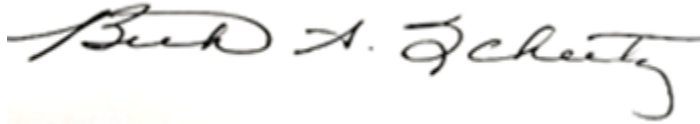
(6) Federal wages have previously been assigned to another state or territory or are assignable to another state or territory under federal regulation. Federal wages erroneously assigned to Iowa must be deleted and the appropriate type of claim filed.

(7) The Iowa wages are erroneous and are deleted and the wages from one other state were used, the claim shall be canceled and the wages returned to the transferring state.

As a condition of Pandemic Unemployment Assistance and Disaster Unemployment Assistance eligibility, a worker cannot be eligible for regular compensation or extended benefits. The claimant was eligible to receive unemployment insurance benefits in Iowa. He was eligible to receive Disaster Unemployment Assistance in Florida. So long as the claimant is eligible to receive regular unemployment insurance benefits, he should receive regular unemployment insurance benefits. The claimant's claim shall be backdated to April 19, 2020, when he filed in Florida.

## **DECISION:**

The representative's May 11, 2020, decision (reference 01) is reversed. The claimant's request to reinstate the Iowa claim for unemployment insurance benefits is granted. The claimant's claim shall be backdated to April 19, 2020.



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Beth A. Scheetz  
Administrative Law Judge

June 23, 2020  
Decision Dated and Mailed

bas/sam