

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**TERESA R WAY**  
Claimant

**APPEAL 16A-UI-10486-DL-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 09/04/16  
Claimant: Appellant (2-R)**

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

**STATEMENT OF THE CASE:**

Claimant filed a timely appeal from the September 14, 2016, (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 October 10, 2016. Claimant participated.

**ISSUE:**

Did the claimant earn insured wages of \$250.00 or more during or after the previous benefit year to make her 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 did earn at least \$250.00 in insured wages during or subsequent to the prior claim year beginning August 23, 2015. She worked full-time for Plastilite Corp. located at 4930 Battlefield Drive, Omaha, Nebraska 68152 from March 2016 through September 6, 2016. The administrative record does not indicate a combined wage claim has been established with Nebraska wages.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant is monetarily eligible to receive benefits during the subsequent benefit year. She does have sufficient wages in the base period from another out-of-state employer.

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 did demonstrate an ongoing connection to the labor market by earning at least \$250.00 in insured wages during or subsequent to the claim year beginning August 23, 2015, she is monetarily eligible to receive benefits during the current claim year beginning September 4, 2016.

**DECISION:**

The September 14, 2016, (reference 02) unemployment insurance decision is reversed. The claimant is monetarily eligible to receive benefits during the current claim year beginning September 4, 2016.

**REMAND:**

The Nebraska combined wage claim issue delineated in the findings of fact is remanded to the Benefits Bureau of Iowa Workforce Development for a fact-finding interview and unemployment insurance decision.

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Dévon M. Lewis  
Administrative Law Judge

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Decision Dated and Mailed

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