

**IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI**

**MARK J ALLAN  
620 WORTH ST  
LAMONT IA 50650**

**MANPOWER INC OF CEDAR RAPIDS  
1220 INDUSTRIAL AVE  
HIAWATHA IA 52233**

**AMENDED  
Appeal Number: 04A-UI-01769-AT  
OC: 01-04-04 R: 04  
Claimant: Appellant (4)**

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.5-1-g - Requalification

STATEMENT OF THE CASE:

Mark J. Allan filed a timely appeal from an unemployment insurance decision dated February 11, 2004, reference 03, which denied benefits to him upon a finding that he had not requalified for benefits by earning ten times his weekly benefit amount in wages for insured work since his separation from employment on December 17, 2003 from Manpower, Inc. of Cedar Rapids. Due notice was issued for a telephone hearing to be held September 1, 2004. Neither Mr. Allan nor the employer participated. This decision is based on information in Agency benefit payment records, decision records and wage records.

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: Mark J. Allan was disqualified for benefits following his separation from employment with Manpower, Inc. of Cedar Rapids on or about December 17, 2003. He filed a claim for unemployment insurance benefits effective January 4, 2004. His weekly benefit amount is \$52.00. During the week ending April 24, 2004, Mr. Allan reported gross wages of \$596.00. Hayward Baker, Inc. reported wages for Mr. Allan in the gross amount of \$4,079.00 for the second calendar quarter of 2004.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the evidence before the administrative law judge establishes that Mr. Allan has requalified for benefits following his separation from employment with Manpower. It does.

Iowa Code Section 96.5-1-g requires that an individual must earn ten times the individual's weekly benefit amount in wages for insured work to requalify for unemployment insurance benefits. Since Mr. Allan's weekly benefit amount is \$52.00, the law requires \$520.00 in wages for insured work in order for him to requalify. Evidence in the record establishes that Mr. Allan earned the requisite amount during the week ending April 24, 2004. Therefore, benefits are allowed as of April 25, 2004, provided he is otherwise eligible.

DECISION:

The unemployment insurance decision dated February 11, 2004, reference 03, is modified. The claimant is entitled to receive unemployment insurance benefits effective April 25, 2004, provided he is otherwise eligible.

tjc/tjc/b