

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**KIPPEN R RICHARDS**  
Claimant

**APPEAL 21A-UI-00749-S1-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 04/05/20**  
**Claimant: Appellant (2R)**

PL 116-136 Section 2107 – Pandemic Emergency Unemployment Compensation

**STATEMENT OF THE CASE:**

Kippen Richards (claimant) appealed a representative's November 16, 2020, decision (reference 01) that concluded the claimant was not eligible to receive Pandemic Emergency Unemployment Compensation. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was scheduled to be held on February 13, 2021. The claimant participated personally.

The claimant offered and Exhibits A, B, and C were received into evidence. The administrative law judge took official notice of the administrative file.

**ISSUES:**

The issue is whether the claimant is eligible to receive Pandemic Emergency Unemployment Compensation.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant filed for unemployment insurance benefits in Iowa with an effective date of April 5, 2020. Her weekly benefit amount was determined to be \$315.00. The claimant exhausted her maximum benefit amount the week ending November 7, 2020. The claimant's maximum benefit amount for her April 5, 2020 original claim is \$7,831.05. She filed weekly continued claims off and on from April 5, 2020, through November 7, 2020, and exhausted her maximum benefit amount during those weeks.

The Agency discovered the claimant was monetarily eligible for unemployment insurance benefits in Louisiana. On November 16, 2020 the department (IWD), issued the claimant a decision denying eligibility for Pandemic Emergency Unemployment Compensation based on her monetary eligibility for benefits in Louisiana. The claimant's employer mistakenly coded her address as "LA" instead of "IA" (Exhibit A) The employer has indicated a willingness to correct its mistake. The claimant has not worked in or visited Louisiana.

**REASONING AND CONCLUSIONS OF LAW:**

PL 116-136 Sec 2107 provides in pertinent part:

**PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION.**

**(2) PROVISIONS OF AGREEMENT. —**

Any agreement under paragraph (1) shall provide that the State agency of the State will make payments of pandemic emergency unemployment compensation to individuals who—

(A) have exhausted all rights to regular compensation under the State law or under Federal law with respect to a benefit year (excluding any benefit year that ended before July 1, 2019);

(B) have no rights to regular compensation with respect to a week under such law **or any other State unemployment compensation law** or to compensation under any other Federal law;

(C) are not receiving compensation with respect to such week under the unemployment compensation law of Canada; and

(D) are able to work, available to work, and actively seeking work.

(emphasis added).

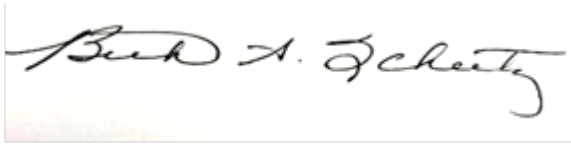
In this case, the claimant exhausted her regular unemployment insurance benefits funded by the State of Iowa on November 7, 2020. The claimant therefore meets the requirements of PL 116-136 Section 2107(2)(A). Any wages reported to Louisiana were reported in error.

The issue of the proper reporting of the claimant's wages is remanded for an initial investigation.

**DECISION:**

The November 16, 2020, (reference 01) unemployment insurance decision is reversed. The claimant is eligible to receive Pandemic Emergency Unemployment Compensation effective November 8, 2020.

The issue of the proper reporting of the claimant's wages is remanded for an initial investigation.

A handwritten signature in black ink, reading "Beth A. Scheetz", is positioned above a horizontal line.

Beth A. Scheetz  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

February 26, 2021  
Decision Dated and Mailed

bas/scn