

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**LEO W HOENIG**  
Claimant

**APPEAL 17A-UI-00178-NM-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 12/18/16**  
**Claimant: Appellant (1)**

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

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the December 29, 2016, (reference 01) 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. The claimant was properly notified of the hearing. A telephone hearing was held on January 26, 2017. The claimant Leo Hoenig participated and testified.

**ISSUE:**

Did the claimant earn insured wages of \$250.00 or more during or after the previous benefit year to be 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 filed a claim for unemployment insurance benefits during the week of December 20, 2015. He received unemployment insurance benefits. The claimant has not had any other employment since December 2015. The claimant did not earn at least \$250.00 in insured wages during or subsequent to the prior claim year beginning December 20, 2015.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant is not eligible to receive benefits during the subsequent benefit year.

Iowa Code § 96.4(4)a-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 not earn at least \$250.00 in insured wages during or subsequent to the claim year beginning December 20, 2015, he is not eligible to receive benefits during the current claim year beginning December 18, 2016.

**DECISION:**

The December 29, 2016, (reference 01) unemployment insurance decision is affirmed. The claimant is not eligible to receive benefits during the current claim year beginning December 18, 2016. If the claimant does earn \$250.00 in insured wages he may present evidence of that to the local office to determine eligibility.

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Nicole Merrill  
Administrative Law Judge

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Decision Dated and Mailed

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