

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

**AMY J MOSER**  
Claimant

**APPEAL NO. 06A-UI-10708-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 10/22/06 R: 02  
Claimant: Appellant (1)**

Section 96.4-4 – Subsequent Benefit Year Requalification

**STATEMENT OF THE CASE:**

Amy J. Moser (claimant) appealed a representative's November 1, 2006 decision (reference 02) that concluded she was not eligible to receive unemployment insurance benefits as of October 22, 2006, (a subsequent benefit year) because she had not earned \$250.00 in wages between October 25 2005 and October 22, 2006. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on November 20, 2006. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Is the claimant eligible to receive benefits in a subsequent second benefit year if she has not earned any wages since October 25, 2005?

**FINDINGS OF FACT:**

The claimant established a claim for unemployment insurance benefits during the week of October 23, 2005. The claimant filed for and received benefits during this benefit year. In April 2006, the claimant received a notice that she had exhausted her benefits for that benefit year, but she could open a new benefit year during the week of October 22, 2006. The notice did not provide any information that the claimant had to earn \$250.00 between October 23, 2005, and October 22, 2006.

The claimant has not worked or earned any wages from insured employment between October 23, 2005, and October 22, 2006. The claimant established a second benefit year during the week of October 22, 2006.

**REASONING AND CONCLUSIONS OF LAW:**

If a claimant has received benefits during a benefit year, the claimant must during or subsequent to that year, work in and be paid wages for insured work totaling at least \$250.00, as a condition to receiving benefits in the next benefit year. Iowa Code § 96.4-4.

Even if the claimant did not receive information that she was required to earn a minimum of \$250.00 between October 23 2005 and October 22, 2006, she indicated during the hearing she would not have been able to do earn any wages because she attended school full-time and is the single mother of a six-year old. While the claimant is in a difficult situation, Iowa Code § 96.4-4 does not provide any exceptions to the \$250.00 requalifying wage requirement. Therefore, as of October 22, 2006, the claimant is not eligible to receive benefits. Once the claimant earns a minimum of \$250.00, she can reapply or reopen her claim so the Department can review her eligibility and decide if she is then eligible to receive benefits.

**DECISION:**

The representative's November 1, 2006 decision (reference 02) is affirmed. The claimant is not eligible to receive benefits as of October 22, 2006, because she has not earned a minimum of \$250.00 in wages from insured employment since October 23, 2006.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/cs