

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**NINA R TONDERUM**  
Claimant

**APPEAL NO. 09A-UI-07431-NT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 04/19/09**  
**Claimant: Appellant (1)**

Section 96.4-4 – Monetary Eligibility in Subsequent Benefit Year

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the May 6, 2009, reference 01, decision that denied benefits because of the claimant's failure to earn at least \$250.00 in insured wages during or after the prior claim year without having sufficient wages from other employers in the base period to be eligible to draw benefits. After due notice was issued, a hearing was held on May 27, 2009. The claimant did participate.

**ISSUE:**

The issue is whether the claimant had at least \$250.00 in insured wages during or after the prior claim year.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant did not earn at least \$250.00 in insured wages during or subsequent to the prior claim year. Ms. Tonderum did not have sufficient wages in the base period from other employers to be eligible to draw benefits.

**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 section 96.4-4 provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

4. 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 subsection 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.

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 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 work during or subsequent to the current year beginning April 19, 2009 and did not have sufficient wages in the period for other employers to be eligible to draw benefits, the claimant is not eligible to receive benefits during the current claim year.

To become eligible the claimant must earn at least \$250.00 in insured work.

**DECISION:**

The May 6, 2009, reference 01, decision is affirmed. The claimant is not eligible to receive benefits during the current benefit year beginning April 19, 2009 until she has earned \$250.00 in insured work.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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