

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

KASIA ANGERMAN
Claimant

APPEAL NO. 21A-UI-09030-JT-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 03/14/21
Claimant: Appellant (2R)**

Iowa Code Section 96.4(4) – Second Benefit Year

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the March 26, 2021, reference 01, decision that denied benefits effective March 14, 2021, based on the deputy's conclusion that the claimant did not meet the eight-times-weekly-benefit-amount minimum earnings requirement to be eligible for benefits in connection with a second benefit year. A hearing was set for May 22, 2020 and the claimant was properly notified. Upon review of the Agency's administrative records, the administrative law judge determined a hearing was unnecessary and that a decision in the claimant's favor could be entered based on the Agency's administrative records. The administrative law judge hereby takes official notice of the following Agency administrative records: DBRO, DBIN and WAGE-A.

ISSUES:

Whether the claimant has met the eight-times weekly benefit amount earnings requirement to be eligible for benefits in connection with a second claim year.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant established an original claim for benefits that was effective March 15, 2020. Iowa Workforce Development set the weekly benefits amount for regular benefits at \$261.00. The claimant received regular benefits and federal benefits in connection with the claim. Iowa Workforce Development records reflect that the claimant was paid \$1,208.00 in wages during the third quarter of 2020 and \$1,676.00 in wages during the fourth quarter of 2020. These combined wages, \$2,884.00, exceeded eight-times the claimant's \$261.00 weekly benefit amount, \$2,088.00. The claimant established a new claim year that was effective March 14, 2021.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 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 eight times the individual's weekly benefit amount, as a condition to receive benefits in the next benefit year.

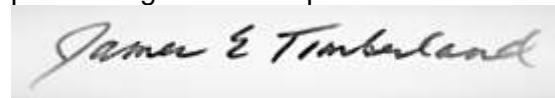
[Emphasis added.]

IWD records reflect that the claimant received benefits in the benefit year that began March 15, 2020. IWD records further reflect that during that claim year the claimant worked in and was paid wages for additional insured work totaling at least eight times the claimant's weekly benefit amount. The claimant is eligible for benefits in connection with the new claim year that was effective March 14, 2021, provided she meets all other eligibility requirements.

DECISION:

The March 26, 2021, reference 01, decision is reversed. The claimant met the eight-times-weekly-benefit-amount minimum earnings requirement to be monetarily eligible for benefits in connection with a second benefit year. The claimant is eligible for benefits in connection with the benefit year that started on March 14, 2021, provided she meets all other eligibility requirements.

This matter is **remanded** to the Investigations & Recovery unit for consideration of the claimant's failure to report wages paid during the third quarter of 2020 and, potentially, wages paid during the fourth quarter of 2020.



James E. Timberland
Administrative Law Judge

May 28, 2021
Decision Dated and Mailed

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