

**UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**MOLLY C PETERSON**  
Claimant

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**APPEAL 20A-UI-07211-JE-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 03/22/20**  
**Claimant: Appellant (1)**

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PL 116-136 Section 2107 – Pandemic Emergency Unemployment Compensation

**STATEMENT OF THE CASE:**

The claimant appealed a representative's June 25, 2020, (reference 01) decision that concluded she 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 held before Administrative Law Judge Julie Elder on August 5, 2020. The claimant participated in the hearing.

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 March 22, 2020. Her weekly benefit amount was determined to be \$281.00. The claimant exhausted her maximum benefit amount (\$3,311.08) the week ending June 20, 2020.

On June 25, 2020, the department (IWD), issued the claimant a letter denying her Pandemic Emergency Unemployment Compensation. IWD discovered the claimant was monetarily eligible for unemployment insurance benefits in Nebraska.

The claimant applied for unemployment insurance benefits in Nebraska and is monetarily eligible to receive weekly benefits.

**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).

A worker must exhaust all her rights to unemployment insurance benefits and be able and available for work to be eligible for Pandemic Emergency Unemployment Compensation. When a worker is eligible to receive regular unemployment insurance benefits, she is not eligible to receive Pandemic Emergency Unemployment Compensation. The claimant is monetarily eligible to receive regular unemployment insurance benefits in Nebraska. She is not eligible to receive Pandemic Emergency Unemployment Compensation. Pandemic Emergency Unemployment Compensation benefits are denied effective June 14, 2020.

**DECISION:**

The June 25, 2020, (reference 01) unemployment insurance decision is affirmed. The claimant is not eligible to receive Pandemic Emergency Unemployment Compensation because she is monetarily eligible to receive unemployment insurance benefits in Nebraska. Pandemic Emergency Unemployment Compensation benefits are denied effective June 14, 2020.



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

August 25, 2020

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Decision Dated and Mailed

je/sam