

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**SKIPPER E PONCY**  
Claimant

**APPEAL NO. 12A-UI-15227-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 12/16/12**  
**Claimant: Appellant (2-R)**

Section 96.3(4) – Monetary Determination

**STATEMENT OF THE CASE:**

The claimant, Skipper Poncy, filed an appeal from a monetary determination dated December 17, 2012, reference 02. After due notice was issued, a hearing was held by telephone conference call on January 31, 2012. The claimant participated on his own behalf.

**ISSUE:**

The issue is whether the claimant's monetary determination is correct.

**FINDINGS OF FACT:**

Skipper Poncy filed a claim for unemployment benefits with an effective date of December 16, 2012. His base period was established as July 1 2011 through June 30, 2012. The records of WAGEA of Iowa Workforce Development show wages earned in the fourth quarter 2011 as well as the second and third quarters of 2012.

The monetary determination of December 17, 2012, shows only wages earned in the fourth quarter 2011.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.3-4 provides:

4. Determination of benefits. With respect to benefit years beginning on or after July 1, 1983, an eligible individual's weekly benefit amount for a week of total unemployment shall be an amount equal to the following fractions of the individual's total wages in insured work paid during that quarter of the individual's base period in which such total wages were highest; the director shall determine annually a maximum weekly benefit amount equal to the following percentages, to vary with the number of dependents, of the statewide average weekly wage paid to employees in insured work which shall be effective the first day of the first full week in July:

If the number of dependents is:	The weekly benefit amount shall equal the following fraction of high quarter wages:	Subject to the following maximum percentage of the statewide average weekly wage.
0	1/23	53%
1	1/22	55%
2	1/21	57%
3	1/20	60%
4 or more	1/19	65%

The maximum weekly benefit amount, if not a multiple of one dollar shall be rounded to the lower multiple of one dollar. However, until such time as sixty-five percent of the statewide average weekly wage exceeds one hundred ninety dollars, the maximum weekly benefit amounts shall be determined using the statewide average weekly wage computed on the basis of wages reported for calendar year 1981. As used in this section "dependent" means dependent as defined in section 422.12, subsection 1, paragraph "c", as if the individual claimant was a taxpayer, except that an individual claimant's nonworking spouse shall be deemed to be a dependent under this section. "Nonworking spouse" means a spouse who does not earn more than one hundred twenty dollars in gross wages in one week.

It appears the claimant has wages that did not appear on the monetary determination at the time he filed his claim. This matter should be remanded for redetermination.

**DECISION:**

The representative's decision of December 17, 2012, reference 02, is reversed. The monetary determination does not appear to show all wages earned by the claimant during his base period. The issue is remanded to UIS division for determination.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

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