

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ERIKA M GRUBBS

Claimant

APPEAL NO. 14A-UI-00399-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

DOLLAR TREE STORES INC

Employer

OC: 10/27/13

Claimant: Appellant (1)

871 IAC 24.27 – Wage Credits

STATEMENT OF THE CASE:

The claimant, Erika Grubbs, filed an appeal from a decision dated January 3, 2014, reference 03. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on February 4, 2014. The claimant participated on her own behalf. The employer, Dollar Tree, did not provide a telephone number where a witness could be contacted and did not participate.

ISSUE:

The issue is whether the claimant is eligible for benefits after removal of part-time base period wages.

FINDINGS OF FACT:

Erika Grubbs filed a claim for unemployment benefits with an effective date of October 27, 2013. Her base period was established as July 1, 2012 through June 30, 2013. The wages during that period was most from Dollar Tree and the second quarter of 2013 from Casey's.

An administrative law judge's decision of December 26, 2013, found the claimant had quit part-time work with Dollar Tree without good cause attributable to the employer. Her base period earnings from this job were removed and the matter remanded to determine if she remained monetarily eligible for benefits after the removal of those wages.

The current decision found she was not eligible because she had only one quarter of earnings in the base period as a result, and that was insufficient to make her monetarily eligible.

REASONING AND CONCLUSIONS OF LAW:

871 IAC 24.27 provides:

Voluntary quit of part-time employment and requalification. An individual who voluntarily quits without good cause part-time employment and has not requalified for benefits following the voluntary quit of part-time employment, yet is otherwise monetarily eligible

for benefits based on wages paid by the regular or other base period employers, shall not be disqualified for voluntarily quitting the part-time employment. The individual and the part-time employer which was voluntarily quit shall be notified on the Form 65-5323 or 60-0186, Unemployment Insurance Decision, that benefit payments shall not be made which are based on the wages paid by the part-time employer and benefit charges shall not be assessed against the part-time employer's account; however, once the individual has met the requalification requirements following the voluntary quit without good cause of the part-time employer, the wages paid in the part-time employment shall be available for benefit payment purposes. For benefit charging purposes and as determined by the applicable requalification requirements, the wages paid by the part-time employer shall be transferred to the balancing account.

The claimant has only one quarter of earnings during her base period from an employer other than Dollar Tree. This is insufficient to establish monetary eligibility.

DECISION:

The unemployment insurance decision dated January 3, 2014, reference 03, is affirmed. Erika Grubbs is not monetarily eligible for benefits.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/css