

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RUTH A MCDOWELL
Claimant

APPEAL NO. 09A-UI-17679-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 11/01/09
Claimant: Appellant (2)**

Section 96.4-4 – Second Benefit Year Earnings Requirement

STATEMENT OF THE CASE:

Ruth A. McDowell filed a timely appeal from an unemployment insurance decision dated November 19, 2009, reference 01, that denied benefits to her effective November 1, 2009 upon a finding that she had not earned and been paid covered wages in the amount of at least \$250.00 since the beginning of her benefit year on November 2, 2008. After due notice was issued, a telephone hearing was held December 15, 2009 with Ms. McDowell participating. Exhibit A was admitted into evidence on her behalf.

ISSUE:

Has the claimant met the second benefit year earnings requirement?

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having examined all of the evidence in the record, the administrative law judge finds: Ruth A. McDowell received unemployment insurance benefits during a benefit year that began November 2, 2008. During a pay period ending October 24, 2009, Ms. McDowell earned gross wages of \$1,873.44 from S & R Manufacturing. She was paid these wages in a check dated November 2, 2009.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the evidence establishes that the claimant has met the second benefit year earnings requirement of earning and being paid covered wages of at least \$250.00 since the beginning of her prior benefit year. The administrative law judge concludes from the claimant's testimony and documentary evidence that she has earned and received the requisite wages in covered employment with S & R Manufacturing. Therefore, benefits are allowed as of November 1, 2009.

DECISION:

The unemployment insurance decision dated November 19, 2009, reference 01, is reversed. The claimant is entitled to receive unemployment insurance benefits effective November 1, 2009, provided she is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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