

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

FRANCIS E ZOTZ

Claimant

APPEAL NO. 11A-UI-04619-PT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 11/16/08

Claimant: Appellant (1)

Public Law 110-252 –Emergency Unemployment Compensation
Section 96.19-20 –Definition of Exhaustee

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated April 4, 2011, reference 03, which held claimant ineligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on April 18, 2011. Claimant participated. Claimant waived the seven calendar notice requirement of Iowa Code § 96.6-3.

ISSUE:

Whether the claimant eligible to receive Emergency Unemployment Compensation benefits from Iowa or regular unemployment insurance benefits.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds:

The claimant is eligible for regular unemployment insurance benefits effective November 14, 2010.

REASONING AND CONCLUSIONS OF LAW:

The Emergency Unemployment Compensation (EUC) program was created by Public Law 110 252, Title VI. This new temporary unemployment insurance program provides up to 13 additional weeks of unemployment benefits to certain workers who have exhausted their rights to regular unemployment compensation benefits.

In order to receive extended unemployment insurance benefits (EUC), a person must be an "exhaustee" within the meaning of unemployment insurance law. Pursuant to Iowa Code § 96.19(20), a person is not an "exhaustee" if she is monetarily eligible for regular unemployment insurance benefits in Iowa or another state.

Because the claimant is monetarily eligible to receive regular unemployment insurance benefits she not an "exhaustee" for purposes of receiving federal extended unemployment compensation benefits (EUCU). As of November 14, 2010 the claimant is not eligible to receive Emergency Unemployment Compensation benefits.

DECISION:

The decision of the representative dated April 4, 2011, reference 03, is affirmed. The claimant is not eligible to receive Emergency Unemployment Compensation benefits from Iowa as of November 14, 2010, because as of this date she is eligible to receive regular unemployment insurance benefits.

Ron Pohlman
Administrative Law Judge

Decision Dated and Mailed

rrp/pjs