

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JOSE M OLIVA
Claimant

APPEAL NO. 12A-EUCU-00093-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 02/13/11
Claimant: Appellant (1)**

Public Law 110-252 – Emergency Unemployment Compensation Benefits

STATEMENT OF THE CASE:

Jose M. Oliva filed a timely appeal from an unemployment insurance decision dated February 22, 2012, reference 02, that ruled he was ineligible for emergency unemployment compensation benefits from Iowa effective November 27, 2011 because he was monetarily eligible for state unemployment insurance benefits on an Illinois, Ohio and Indiana combined wage claim as of that date. Due notice was issued for a telephone hearing to be held March 22, 2012. Mr. Oliva did not respond to the notice.

ISSUE:

Is the claimant eligible for emergency unemployment compensation benefits from Iowa effective November 27, 2011?

FINDINGS OF FACT:

Jose M. Oliva is monetarily eligible for state unemployment insurance benefits based on a combined wage claim based on wages paid to him in Illinois, Ohio and Indiana. He is monetarily eligible for that claim as of November 27, 2011.

REASONING AND CONCLUSIONS OF LAW:

The question is whether Mr. Oliva can continue receiving emergency unemployment compensation benefits from Iowa effective November 27, 2011. He cannot.

Public Law 110-252, the federal statute establishing the emergency unemployment compensation program, does not allow these benefits to be paid to an individual for any week that the individual is monetarily eligible for regular state unemployment insurance benefits. An individual's benefits may be based upon wages paid in one or more states. The evidence in this record establishes that Mr. Oliva is monetarily eligible for such a claim effective November 27, 2011. Because of this, he is not eligible to continue receiving emergency unemployment compensation benefits through Iowa as of that date.

DECISION:

The unemployment insurance decision dated February 22, 2012, reference 02, is affirmed. The claimant is not eligible to receive emergency unemployment compensation benefits effective November 27, 2011.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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