

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**SUSAN A GUYER**  
Claimant

**APPEAL NO. 11A-EUCU-00234-NT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 07/05/09**  
**Claimant: Appellant (1)**

Section 96.19(20) – Eligibility for Unemployment Compensation Benefits

**STATEMENT OF THE CASE:**

Claimant filed a timely appeal from the February 16, 2011, reference 01, decision that held claimant not eligible to receive emergency unemployment insurance benefits because the claimant was eligible for regular unemployment insurance benefits on an Iowa claim effective July 4, 2010. After due notice, a telephone hearing was held on March 24, 2011. Claimant participated personally.

**ISSUE:**

The issue is whether the claimant was eligible to receive emergency unemployment compensation benefits because of eligibility on a regular state unemployment claim.

**FINDINGS OF FACT:**

Having reviewed the evidence in the record, the administrative law judge finds: Ms. Guyer filed an original unemployment insurance claim and exhausted her entitlement to regular unemployment insurance benefits. Subsequently, the claimant was notified of potential eligibility to receive emergency unemployment compensation benefits. Ms. Guyer applied and began receiving emergency unemployment insurance benefits. Subsequently, Ms. Guyer became eligible for an Iowa state unemployment claim based upon additional reported wages. Ms. Guyer continued to receive emergency unemployment compensation benefits until a review determined that she should not be receiving federal emergency unemployment compensation benefits but should be receiving benefits based upon her state claim.

Ms. Guyer was unaware that she had become eligible on her Iowa claim and continued to receive emergency unemployment compensation.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow the administrative law judge concludes the claimant is not eligible for emergency unemployment compensation benefits.

871 IAC 24.50(c) provides:

That an individual is not eligible for temporary extended unemployment compensation if the individual is eligible for regular benefits in Iowa or another state any federal benefits or employment benefits from Canada.

The evidence in the record establishes that Ms. Guyer became monetarily eligible for regular unemployment on an Iowa claim effective July 4, 2010. Because of the claimant's eligibility for regular unemployment insurance benefits, she was not eligible to receive the emergency unemployment compensation benefits. The claimant is potentially eligible to receive regular unemployment insurance benefits for the same weeks, however, and those benefits may be used to offset a portion or all of the emergency unemployment compensation benefits that were received by Ms. Guyer in error.

**DECISION:**

The representative's decision dated February 16, 2011, reference 01, is affirmed. Claimant is disqualified from receiving emergency unemployment compensation benefits as she was monetarily eligible for regular unemployment insurance benefits on her July 4, 2010 claim.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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