

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RONALD A WALL
Claimant

APPEAL NO. 09A-UI-04498-NT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**Original Claim: 02/01/09
Claimant: Appellant (2)**

Section 96.4-4 – Insured Earnings of \$250.00 Since Previous Benefit Year

STATEMENT OF THE CASE:

An appeal was filed from a representative's decision dated March 12, 2009, reference 01. A hearing was scheduled for April 17, 2009. Prior to the hearing being held, the Agency re-determined the decision.

ISSUE:

At issue is whether the claimant has earned at least \$250.00 in insured wages since his previous benefit year.

FINDINGS OF FACT:

The administrative law judge, having considered all the evidence in the record, finds: The Agency has re-determined the decision in favor of the claimant.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.4-4 provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

4. The individual has been paid wages for insured work during the individual's base period in an amount at least one and one-quarter times the wages paid to the individual during that quarter of the individual's base period in which the individual's wages were highest; provided that the individual has been paid wages for insured work totaling at least three and five-tenths percent of the statewide average annual wage for insured work, computed for the preceding calendar year if the individual's benefit year begins on or after the first full week in July and computed for the second preceding calendar year if the individual's benefit year begins before the first full week in July, in that calendar quarter in the individual's base period in which the individual's wages were highest, and the individual has been paid wages for insured work totaling at least one-half of the amount of wages required under this subsection in the calendar quarter of the base

period in which the individual's wages were highest, in a calendar quarter in the individual's base period other than the calendar quarter in which the individual's wages were highest. The calendar quarter wage requirements shall be rounded to the nearest multiple of ten dollars.

If the individual has drawn benefits in any benefit year, the individual must during or subsequent to that year, work in and be paid wages for insured work totaling at least two hundred fifty dollars, as a condition to receive benefits in the next benefit year.

The administrative law judge has reviewed the record and files herein and concludes the matter has been re-determined in favor of the claimant.

DECISION:

The representative's decision dated March 12, 2009, reference 01, is reversed. The claimant has been paid insured wages of at least \$250.00 since his previous benefit year and therefore is eligible to receive benefits effective February 1, 2009.

Terence P. Nice
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw