

**IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI**

**JAMIE L HALVORSEN  
PO BOX 425  
TIFFIN IA 52340-0425**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**Appeal Number: 04A-UI-05133-DWT  
OC 04/18/04 R 03  
Claimant: Appellant (1)**

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal are based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.4-4 – Subsequent Benefit Year Eligibility

STATEMENT OF THE CASE:

Jamie L. Halvorsen (claimant) appealed a representative's April 28, 2004 decision (reference 01) that concluded she was not eligible to receive benefits as of April 18, 2004 because she had not earned at least \$250.00 between April 20, 2003 and April 18, 2004. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on June 3, 2004. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Has the claimant earned \$250.00 between April 18, 2003 and April 20, 2004?

FINDINGS OF FACT:

The claimant established a claim for unemployment insurance benefits during the week of April 20, 2003. She worked for Subway on April 21 and 22, 2003. She earned a total of \$104.00 these two days. She has not earned any other wages prior to April 18, 2004.

The claimant filed claims and received benefits after she established a claim during the week of April 20, 2003. The claimant established a subsequent benefit year during the week of April 18, 2004.

REASONING AND CONCLUSIONS OF LAW:

When a claimant has drawn benefits during a benefit year, the claimant must earn at least \$250.00 in wages from insured employment as a condition to receive benefits in the next benefit year. Iowa Code §96.4-4. The facts establish the claimant received benefits in the benefit year she established during the week of April 20, 2003. The claimant did not earn a minimum of \$250.00 between April 20, 2003 and April 18, 2004. Therefore, she is not eligible to receive benefits as of April 18, 2004. When the claimant earns at least \$250.00 from insured employment, she can reopen her claim and provide the necessary information to establish her eligibility to receive benefits during a subsequent benefit year.

DECISION:

The representative's April 28, 2004 decision (reference 01) is affirmed. The claimant is not eligible to receive unemployment insurance benefits as of April 18, 2004 because she had not earned a minimum of \$250.00 since April 20, 2003.

dlw/kjf