

BEFORE THE
EMPLOYMENT APPEAL BOARD
 Lucas State Office Building
 Fourth floor
 Des Moines, Iowa 50319

BLAKE R BATEY

Claimant

and

ALPLA INC

Employer

HEARING NUMBER: 20BUI-04541

**EMPLOYMENT APPEAL BOARD
 DECISION**

NOTICE

THIS DECISION BECOMES FINAL unless (1) a **request for a REHEARING** is filed with the Employment Appeal Board within **20 days** of the date of the Board's decision or, (2) a **PETITION TO DISTRICT COURT IS FILED WITHIN 30 days** of the date of the Board's decision.

A **REHEARING REQUEST** shall state the specific grounds and relief sought. If the rehearing request is denied, a petition may be filed in **DISTRICT COURT** within **30 days** of the date of the denial.

SECTION: 17A.12-3, 26.14-7

DECISION

UNEMPLOYMENT BENEFITS ARE DENIED

The Claimant appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds the administrative law judge's decision is correct. The administrative law judge's Findings of Fact and Reasoning and Conclusions of Law are adopted by the Board as its own. The administrative law judge's decision is **AFFIRMED**.

We point out to the Claimant that although the Claimant is denied benefits under state unemployment law, **this does not bar receipt of certain special pandemic related benefits**. In fact, being ineligible from state unemployment benefits is a prerequisite to some of these benefits. Of particular interest to the Claimant is Pandemic Unemployment Assistance [PUA]. That law provides benefits to persons who are unavailable for work due to certain pandemic related reasons may be able to collect PUA during any week this situation persists, going back to February 8, 2020 (for a maximum of 39 weeks). The federal Department of Labor has instructed that **eligible persons would include:**

An individual whose immune system is compromised by virtue of a serious health condition and is therefore advised by a health care provider to self quarantine in order to avoid the greater-than-average health risks that the individual might face if he or she were to become infected by the coronavirus.

UIPL 16-20, Attachment 1, p. I-5

(https://wdr.doleta.gov/directives/attach/UIPL/UIPL_16-20_Attachment_1.pdf).

It is further our understanding that federal law requires all PUA claims to be backdated to as early as February 8, depending on when the applicant's self-quarantine began. The upshot is that if the Claimant can make the necessary PUA showing of a need for self-quarantine the Claimant may very well be eligible for PUA for any week such a quarantine was or is in place, and so the Claimant is well-advised to pursue this avenue of federal benefits through Iowa Workforce. **Our ruling today is no bar to PUA**, but it would mean that once the Claimant comes off PUA the Claimant would have to requalify by earning 10 times the weekly benefit amount before Claimant could receive state unemployment benefits.

Unfortunately, although PUA is a federal benefit that is administered through the state of Iowa, our understanding is that according to Iowa Workforce "PUA benefits for those that have a separation issue on their claim has not been implemented in Iowa." This is an administrative issue. *UIPL 16-20, Change 1, Attachment 1*, p. I-7 question 33 (DOL ETA 4/27/2020). The benefit will be available at some point, but Workforce has to get the systems in place first. Workforce reports that people should continue to check the above website to see when the benefit is available. The Claimant should monitor the website below to see when the PUA benefit is available for those currently ineligible due to a separation issue (like quitting). The Claimant should then apply for this benefit when it becomes available. We understand the delay is trying, but this is how things stand at this point.

The website to monitor and the information on how to apply for PUA, is found at:

<https://www.iowaworkforcedevelopment.gov/pua-information>

James M. Strohman

Myron R. Linn

RRA/fnv