

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

LORI J JONES
2283 LACELLE RD
OSCEOLA IA 50213

IOWA WORKFORCE
DEVELOPMENT DEPARTMENT

Appeal Number: 04A-UI-02215-DWT
OC 02/15/04 R 03
Claimant: Appellant (2)

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, 4th 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.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.4-4 – Wages Between Claim Years

STATEMENT OF THE CASE:

Lori J. Jones (claimant) appealed a representative's February 25, 2004 decision (reference 01) that concluded she was not eligible to receive unemployment insurance benefits as of February 15, 2004 because she had not earned at least \$250.00 since she established her first benefit year for unemployment insurance benefits. A hearing was scheduled on March 18, 2004. On March 12, 2004, the claimant contacted the Appeals Section to cancel or withdraw her appeal because she received information an amended decision would be issued holding had she earned \$250.00 since her first benefit year and was eligible to receive benefits as of February 15, 2004. Based on a representative's March 15, 2004 decision (reference 04) that amended the February 25, 2004 decision 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 since February 16, 2003?

FINDINGS OF FACT:

The claimant established a claim for unemployment insurance benefits during the week of February 16, 2003. She established a subsequent benefit year during the week of February 15, 2004. A representative's decision issued on March 15 (reference 04) amended an earlier February 25, 2004 decision (reference 01) and held the claimant eligible to receive benefits as of February 15, 2004 because she has earned at least \$250.00 since February 16, 2003.

REASONING AND CONCLUSIONS OF LAW:

When an 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 \$250.00 as a condition to receive benefits in the next benefit year. Iowa Code §96.4-4. The claimant established she met this condition and is eligible to receive benefits as of February 15, 2004.

DECISION:

The representative's February 25, 2004 decision (reference 01) has been amended by a representative's March 15 decision (reference 04). As of February 15, 2004, the claimant is eligible to receive unemployment insurance benefits because she presented information to the Claims Section that she had earned a minimum of \$250.00 since February 16, 2003.

dlw/kjf