

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DALAINA D NONI
Claimant

APPEAL 19A-UI-00786-DB-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 01/13/19
Claimant: Appellant (1)

Iowa Code § 96.4(4) – Eligibility

STATEMENT OF THE CASE:

The claimant/appellant filed an appeal from the January 24, 2019 (reference 01) unemployment insurance decision that found claimant was not eligible for benefits in a second benefit year because she had not been paid insured wages during or after the previous claim year of at least eight (8) times the weekly benefit amount of the previous claim year. The claimant was properly notified of the hearing. A telephone hearing was held on February 12, 2019. The claimant participated personally. The administrative law judge took official notice of the claimant's unemployment insurance benefits records.

ISSUE:

Has the claimant been paid insured wages sufficient to be eligible for benefits in a second benefit year?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

The claimant filed an initial claim for benefits effective January 14, 2018. This benefit year expired on January 13, 2019. Her weekly benefit amount was \$490.00. Claimant was paid her maximum benefit amount during this claim year. Claimant filed an initial claim in a subsequent benefit year effective January 13, 2019. Claimant has not worked and earned insured wages of at least \$3,920.00 (8 times her weekly-benefit amount of her previous claim year) during or subsequent to that year.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes that the claimant has not earned and been paid sufficient wages to be eligible for unemployment insurance benefits in a second benefit year. Benefits are denied effective January 13, 2019 and continuing until this obligation is met.

Iowa Code § 96.4(4)(c) provides:

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

c. 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 eight times the individual's weekly benefit amount, as a condition to receive benefits in the next benefit year.

The claimant failed to work in and be paid wages for insured work totaling at least eight times her weekly benefit amount of her previous claim year, as a condition to receiving benefits in a subsequent benefit year. As such, benefits are denied at this time.

DECISION:

The January 24, 2019 (reference 01) decision is affirmed. Claimant has not worked in and been paid wages for insured work totaling at least eight times her weekly benefit amount of the previous claim year to be eligible for benefits in a subsequent benefit year. Benefits are denied effective January 13, 2019. If claimant does earn eight times the prior claim year's weekly benefit amount in insured wages she may present evidence of that to Iowa Workforce Development to determine eligibility at that time.

Dawn Boucher
Administrative Law Judge

Decision Dated and Mailed

db/rvs