

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

SUZANNE D CLARK YODER
Claimant

APPEAL 20A-UI-12084-AW-T
ADMINISTRATIVE LAW JUDGE
DECISION

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 03/29/20
Claimant: Appellant (1)

PL 116-136, Sec. 2107 – Federal Pandemic Emergency Unemployment Compensation

STATEMENT OF THE CASE:

Claimant filed an appeal from the June 24, 2020 (reference 01) unemployment insurance decision that denied Emergency Unemployment Compensation benefits. Claimant was properly notified of the hearing. A telephone hearing was held on November 24, 2020, at 9:00 a.m. Claimant participated. No exhibits were admitted. Official notice was taken of the administrative record.

ISSUE:

Whether claimant is eligible for Federal Pandemic Emergency Unemployment benefits.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed an initial claim for regular unemployment insurance (UI) benefits funded by the State of Iowa effective March 29, 2020. Claimant's base period began October 1, 2018 and ended September 30, 2019. During her base period, claimant earned wages in Iowa from American National Red Cross in the fourth quarter of 2018 and in Illinois from the Moline School District in the second and third quarters of 2019. These wages were used to establish claimant's eligibility in Iowa. Claimant exhausted her maximum UI benefit amount in the benefit week ending June 13, 2020.

The administrative record reflects that claimant earned wages in Illinois from the Moline School District in the fourth quarter of 2019 and the first quarter of 2020. These wages were not transferred to or used in Iowa. After claimant exhausted her UI benefits in Iowa, she applied for Pandemic Emergency Unemployment Compensation (PEUC) in Iowa. Claimant's application for PEUC in Iowa was denied, because claimant was eligible for UI in Illinois. Claimant filed an initial claim for benefits in Illinois effective July 19, 2020; claimant was approved for and received UI in Illinois.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes:

PL 116-136 Sec 2107 provides in pertinent part:

PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION.

(2) PROVISIONS OF AGREEMENT. —

Any agreement under paragraph (1) shall provide that the State agency of the State will make payments of pandemic emergency unemployment compensation to individuals who—

(A) have exhausted all rights to regular compensation under the State law or under Federal law with respect to a benefit year (excluding any benefit year that ended before July 1, 2019);

(B) have no rights to regular compensation with respect to a week under such law or any other State unemployment compensation law or to compensation under any other Federal law;

(C) are not receiving compensation with respect to such week under the unemployment compensation law of Canada; and

(D) are able to work, available to work, and actively seeking work.

The administrative record reflects that claimant is monetarily eligible for regular unemployment insurance benefits in the State of Illinois from her wages earned with Moline Community School District. Because claimant is eligible for UI in Illinois, claimant does not meet the eligibility requirements for PEUC at this time. Accordingly, PEUC is denied effective June 14, 2020.

DECISION:

The June 24, 2020 (reference 01) unemployment insurance decision that determined claimant was not eligible for Pandemic Emergency Unemployment Compensation (PEUC) benefits is affirmed.

Note to Claimant

This decision determines you are not eligible for PEUC benefits. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision.

You may qualify for benefits under the Federal Pandemic Unemployment Assistance ("PUA") section of the Coronavirus Aid, Relief, and Economic Security Act ("Cares Act") that discusses eligibility for claimants who are unemployed due to the Coronavirus.

You will need to apply for PUA to determine your eligibility under the program.

For additional information on how to apply for PUA go to:

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



Adrienne C. Williamson
Administrative Law Judge
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December 7, 2020
Decision Dated and Mailed

acw/scn