

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

DANNY R NORELIUS
Claimant

APPEAL NO. 11A-UI-00101-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 06/20/10
Claimant: Appellant (1)

Section 96.4-4 – Second Benefit Year Earnings Requirement

STATEMENT OF THE CASE:

Danny R. Norelius filed a timely appeal from an unemployment insurance decision dated December 21, 2010, reference 01, that denied state unemployment insurance benefits to him effective June 20, 2010 upon a finding that he had not earned and been paid insured wages of at least \$250.00 since June 21, 2009. After due notice was issued, a telephone hearing was held January 29, 2011 with Mr. Norelius participating. This matter is considered on a consolidated record with 11A-UI-00102-AT. Documents submitted by the claimant with his appeal letter are included in this record as Exhibit A. The administrative law judge also takes official notice of agency benefit payment records, wage records and overpayment records.

ISSUE:

Has the claimant earned and been paid insured wages of at least \$250.00 since June 21, 2009?

FINDINGS OF FACT:

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: Danny R. Norelius has not been employed since June 21, 2009. Wages reported to the agency by his former employer, Principal Life Insurance for the fourth quarter of 2009 and the first quarter of 2010 were not for new wages but represent earnings prior to June 21, 2009.

REASONING AND CONCLUSIONS OF LAW:

The Employment Security Law imposes an additional eligibility requirement on claimants who have received unemployment insurance benefits in prior years. To establish continued attachment to the workforce, the individual must show that he or she has earned and been paid wages covered by the unemployment insurance system in the amount of at least \$250.00 since the beginning of the last benefit year in which benefits were received. From the claimant's testimony, the administrative law judge concludes that the wages reported by Principal Life Insurance for the fourth quarter of 2009 and the first quarter of 2010 cannot be used to meet the

requirement of Iowa Code § 96.4-4 because they represent payment for work performed prior to June 21, 2009.

DECISION:

The unemployment insurance decision dated December 21, 2010, reference 01, is affirmed. The claimant is ineligible for state unemployment insurance benefits effective June 20, 2010.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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