

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**JAIRON FLORES**  
Claimant

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**APPEAL 22A-UI-05813-ED-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 11/8/20  
Claimant: Appellant (1)**

Public Law 116-136, sec. 2107 – Federal Pandemic Emergency Unemployment Compensation

**STATEMENT OF THE CASE:**

On March 4, 2022, claimant, Jairon Flores, filed an appeal from the November 17, 2021 (reference 04) unemployment insurance decision that denied Federal Pandemic Emergency Unemployment Compensation benefits effective March 14, 2021 because they would be monetarily eligible for benefits in the state of Nebraska. The claimant was properly notified of the hearing. A telephone hearing was held on April 15, 2022. The claimant, Jairon Flores, participated personally. The administrative law judge took official notice of the claimant's unemployment insurance benefits records.

**ISSUE:**

Is the claimant eligible for Federal Pandemic Emergency Unemployment Compensation?

**FINDINGS OF FACT:**

Having heard the testimony and considered all of the evidence in the record, the administrative law judge finds: The claimant filed an initial claim for regular unemployment insurance benefits funded by the State of Iowa with an effective date of November 8, 2020.

Claimant's administrative records establish that she has reported wages for the claimant in the State of Nebraska. The claimant worked for Ten Point Construction Co Inc. that reported wages in the State of Nebraska. The claimant worked full-time for Ten Point Construction Co Inc. Claimant's administrative records establish that the claimant is monetarily eligible for regular unemployment insurance benefits in the State of Nebraska.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow the administrative law judge concludes that the claimant is not eligible for Federal Pandemic Emergency Unemployment Compensation at this time because the claimant is monetarily eligible for regular unemployment insurance benefits in the State of Wisconsin.

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.

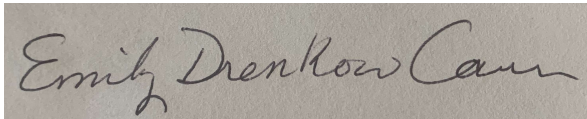
(Emphasis added.)

Claimant testified that they have been employed with Ten Point Construction Co Inc and earned insured wages with that employer in the State of Nebraska. Claimant's administrative records reflect that they are monetarily eligible for regular unemployment insurance benefits in the State of Nebraska from the wages earned with Ten Point Construction Co Inc. The claimant does not meet the eligibility requirements for Pandemic Emergency Unemployment Compensation at this time as they are monetarily eligible for regular unemployment insurance benefits in the State of Nebraska. Pandemic Emergency Unemployment Compensation benefits are denied effective March 14, 2021.

**DECISION:**

The November 17, 2021, (reference 04) unemployment insurance decision is affirmed. The claimant is not eligible for Pandemic Emergency Unemployment Compensation effective March 14, 2021 because they are monetarily eligible for benefits in the State of Nebraska. The claimant may file a claim for regular unemployment insurance benefits in Nebraska.

This decision denies PEUC benefits. If this decision becomes final, you may have an overpayment of PEUC benefits.

A rectangular box containing a handwritten signature in dark ink. The signature appears to read "Emily Drenkow Carr".

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Emily Drenkow Carr  
Administrative Law Judge

April 19, 2022  
Decision Dated and Mailed

ed/kmj

**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>.