

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

CATHERINE G WEST
Claimant

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

APPEAL 21A-UI-01556-AD-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 09/27/20
Claimant: Appellant (1)

Iowa Code § 96.4(4)a-c – Monetary Eligibility and Subsequent Benefit Year

STATEMENT OF THE CASE:

On December 18, 2020, Catherine West (claimant/appellant) filed a timely appeal from the December 8, 2020 (reference 01) unemployment insurance decision that denied benefits effective September 27, 2020 based on a finding claimant had not been paid insured wages during or after the previous claim year in an amount of at least eight times the weekly benefit amount of the previous claim year.

After due notice was issued, a hearing was held on February 26, 2021. Claimant participated personally. Claimant's exhibits 1-8 were admitted. Official notice was taken of the administrative record.

ISSUE:

Did the claimant earn insured wages of at least eight times the prior claim year's weekly benefit amount during or after the previous benefit year to become eligible for a second benefit year?

FINDINGS OF FACT:

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

The claimant's weekly benefit amount in the prior claim year effective September 29, 2019 is \$481.00. She wishes to claim benefits during a second claim year effective September 27, 2020. The claimant did earn at least eight times the prior claim year's weekly benefit amount in insured wages during or subsequent to the prior claim year beginning September 29, 2019. The administrative shows claimant has not earned insured wages since the fourth quarter of 2019.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the December 8, 2020 (reference 01) unemployment insurance decision that denied benefits effective September 27, 2020 based on a finding claimant had not been paid insured wages during or after the previous claim year in an amount of at least eight times the weekly benefit amount of the previous claim year is **AFFIRMED**.

Effective July 2, 2017, Iowa Code section 96.4(4)a and c provides:

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

4. a. The individual has been paid wages for insured work during the individual's base period in an amount at least one and one-quarter times the wages paid to the individual during that quarter of the individual's base period in which the individual's wages were highest; provided that the individual has been paid wages for insured work totaling at least three and five-tenths percent of the statewide average annual wage for insured work, computed for the preceding calendar year if the individual's benefit year begins on or after the first full week in July and computed for the second preceding calendar year if the individual's benefit year begins before the first full week in July, in that calendar quarter in the individual's base period in which the individual's wages were highest, and the individual has been paid wages for insured work totaling at least one-half of the amount of wages required under this paragraph in the calendar quarter of the base period in which the individual's wages were highest, in a calendar quarter in the individual's base period other than the calendar quarter in which the individual's wages were highest. The calendar quarter wage requirements shall be rounded to the nearest multiple of ten dollars.

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.

Although the administrative law judge recognizes claimant's earnest and active search for work, because the claimant did not demonstrate an ongoing connection to the labor market by earning at least eight times the prior claim year's weekly benefit amount in insured wages during or subsequent to the claim year beginning September 29, 2019, she is not eligible to receive benefits during the current claim year beginning September 27, 2020.

DECISION:

The December 8, 2020 (reference 01) unemployment insurance decision that denied benefits effective September 27, 2020 based on a finding claimant had not been paid insured wages during or after the previous claim year in an amount of at least eight times the weekly benefit amount of the previous claim year is **AFFIRMED**. If claimant does earn eight times the prior claim year's WBA in insured wages she may present evidence of that to IWD to determine eligibility.



Andrew B. Duffelmeyer
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515) 478-3528

March 05, 2021
Decision Dated and Mailed

abd/ol

Note to Claimant:

If you disagree with this decision, you may file an appeal with the Employment Appeal Board by following the instructions on the first page of this decision. If this decision denies benefits, you may be responsible for paying back benefits already received.

Individuals who are disqualified from or are otherwise ineligible for **regular** unemployment insurance benefits but who are unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.