

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DANIEL S MILLER

Claimant

APPEAL 19A-UI-00732-CL-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

MASTERBRAND CABINETS INC

Employer

OC: 07/01/18

Claimant: Appellant (4)

Iowa Admin. Code r. 871-24.18 – Wage-earnings limitation

STATEMENT OF THE CASE:

The claimant filed an appeal from the January 16, 2019, (reference 02) unemployment insurance decision that deducted wages from his unemployment insurance benefits during the one week ending December 22, 2018. The parties were properly notified about the hearing. A telephone hearing was held on February 12, 2019. Claimant participated. Employer did not register for the hearing and did not participate. Claimant's Exhibit A was received.

ISSUE:

Did claimant earn wages that are deductible from benefits during the one week ending December 22, 2018?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was temporarily laid off during the one week ending December 22, 2018. He worked 9.18 hours that week and was paid \$186.18 in gross wages for work performed. When claimant made his weekly claim for benefits, he reported receiving \$181.00 in wages for the week.

Claimant's weekly benefit amount is \$467.00.

Iowa Workforce Development deducted \$248.00 from claimant's unemployment insurance benefits.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-24.18 provides:

An individual who is partially unemployed may earn weekly a sum equal to the individual's weekly benefit amount plus \$15 before being disqualified for excessive earnings. If such individual earns less than the individual's weekly benefit amount plus \$15, the formula for wage deduction shall be a sum equal to the individual's weekly benefit amount less that part of wages, payable to the individual with respect to that

week and rounded to the nearest dollar, in excess of one-fourth of the individual's weekly benefit amount.

The wages claimant earned during the one week ending December 22, 2018, should be deducted as follows:

Gross wages \$186 – (25% of \$467 WBA = \$116) = \$70 deduction from WBA
\$467 WBA - \$70 deduction from WBA = \$397 partial weekly benefit amount

DECISION:

The January 16, 2019, (reference 02) unemployment insurance decision is modified in favor of appellant. The incorrect amount of wages was deducted for the one week ending December 22, 2018. Wages in the amount of \$186.00 should have been deducted for the period.

Christine A. Louis
Administrative Law Judge
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Decision Dated and Mailed

cal/scn