

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SARAH R KUTCHER
Claimant

APPEAL NO. 09A-UCX-00019-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**
Respondent

**Original Claim: 08/16/09
Claimant: Appellant (1)**

Section 96.4(4) – Second Benefit Year Requalification

STATEMENT OF THE CASE:

Sarah Kutcher filed an appeal from a representative's decision dated August 26, 2009, reference 01, which held that she had not earned the required wages to qualify for a second benefit year. After due notice was issued, a hearing was held by telephone on September 18, 2009. Ms. Kutcher participated personally.

ISSUE:

At issue in this matter is whether Ms. Kutcher is eligible to receive job insurance benefits during a second year.

FINDINGS OF FACT:

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Kutcher filed an original claim for job insurance benefits effective August 17, 2008. She has not worked for wages since filing the claim. She filed her current claim effective August 16, 2009.

REASONING AND CONCLUSIONS OF LAW:

If an individual has received job insurance benefits in one benefit year, she must, as a condition to receiving benefits in a second year, have earned at least \$250.00 in insured wages since the beginning of the prior benefit year. In other words, Ms. Kutcher had to have worked in and been paid wages for insured work of at least \$250.00 since August 17, 2008. Because she has not, she is not eligible for a second benefit year.

DECISION:

The representative's decision dated August 26, 2009, reference 01, is hereby affirmed. Ms. Kutcher has not earned the required wages to be eligible for a second benefit year. Benefits are withheld until she has worked in and been paid wages for insured work of at least \$250.00, provided she is otherwise eligible.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/kjw