

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

SIMON N NZOMBO
Claimant

APPEAL 20A-UI-12798-DG-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 12/08/19
Claimant: Appellant (2)**

PL 110-252, Sec 4001 – Federal Pandemic Unemployment Assistance
Iowa Code 96.29 – Qualifying Wage Requirement for Extended Benefits
20 CFR 615

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated October 5, 2020, reference 08, that concluded he was not qualified for emergency unemployment compensation (EUC) because he did not have a total of 1.5 times his high quarter wages in his base period. A telephone hearing was held on December 14, 2020. The claimant participated in the hearing.

ISSUE:

Does the claimant have sufficient wages in his base period to qualify for Emergency Unemployment Compensation (EUC) benefits?

FINDINGS OF FACT:

The claimant filed a claim for unemployment insurance benefits with an effective date of December 8, 2019, after a separation from employment. The claimant's base period is from the Third quarter of 2018 through the Second quarter of 2019. When the claimant applied for benefits, he had base period wages as follows: Third quarter 2018 (\$1,500.00), Fourth quarter 2018 (\$0), First quarter 2019 (\$0), and Second quarter 2019 (\$855.00)

The claimant exhausted all the benefits available on the claim during the week ending September 19, 2020, but remains unemployed. He filed a claim for emergency benefits but was determined ineligible because the total wages in the base period (\$2,355.00) were not at least 1.5 times his high quarter wages (\$1,500.00).

\$1,500.00 times 1.5 equals \$2,250.00. Claimant has \$2,355.00 in his base period. It therefore appears that claimant is eligible for emergency benefits.

REASONING AND CONCLUSIONS OF LAW:

The Emergency Unemployment Compensation (EUC) program was created by Public Law 110-252, Title VI. This new temporary unemployment insurance program provides up to 13

additional weeks of unemployment benefits to certain workers who have exhausted their rights to regular unemployment compensation benefits.

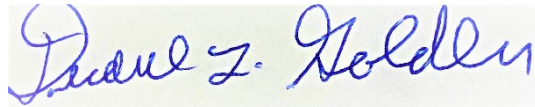
PL Section 4001(d)(2)(A) states that persons shall not be eligible for Extended Benefits unless they have “20 weeks of full-time insured employment or the equivalent in insured wages” in their base period. as determined by the state law implementing the Extended Unemployment Compensation Act of 1970.

The Extended Unemployment Compensation Act of 1970 allowed states to choose one of three methods for determining an “equivalent of 20 weeks of full-time insured employment.” The method Iowa chose is in Iowa Code § 96.29-1-c, which requires claimants have total base period wages of at least 1.5 times the wages paid during the quarter of the base period in which their wages were highest.

The claimant is eligible for Extended Benefits because the total wages in the base period (\$2,355.00) were at least 1.5 times \$1,500.00 high quarter wages which equals (\$2,250.00).

DECISION:

The unemployment insurance decision dated October 5, 2020, reference 08, is reversed. The claimant does have sufficient wages in his base period to qualify for Emergency Unemployment Compensation. Benefits are allowed.



Duane L. Golden
Administrative Law Judge

December 22, 2020
Decision Dated and Mailed

dlg/scn