

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**REBECCA L ENGLISH**  
Claimant

**APPEAL NO. 08A-DUA-00017-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**FEDERAL UNIT  
ADMINISTRATIVE OFFICE**

**OC: 06/08/08 R: 03  
Claimant: Appellant (1)**

20 CFR 625.4(i) – Eligibility for DUA

**STATEMENT OF THE CASE:**

Rebecca L. English filed a timely appeal from a Disaster Unemployment Assistance (DUA) determination dated August 5, 2008, that denied DUA benefits to her. After due notice was issued, a telephone hearing was held August 20, 2008, with Ms. English participating. Exhibit One was admitted into evidence.

**ISSUE:**

Is the claimant eligible for DUA benefits?

**FINDINGS OF FACT:**

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: Rebecca L. English's primary source of income is her self-employment as a daycare provider. For approximately six weeks in the summer of 2008, she was unable to conduct business because of flooding. Ms. English also is a seasonal employee whose wages are covered by the Iowa Employment Security Act. Ms. English is monetarily eligible for state unemployment insurance benefits. She had not exhausted those benefits as of the date of this hearing.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether Ms. English is eligible for DUA benefits. From the evidence and the federal law, the administrative law judge concludes that she is not.

20 CFR 625.4(i) denies DUA benefits to individuals who are eligible for regular state unemployment insurance benefits. While her state unemployment insurance benefits are much less than she would otherwise receive in DUA benefits, the language of the law is clear and precise. DUA benefits must be withheld because Ms. English is eligible for state unemployment insurance benefits.

**DECISION:**

The DUA determination dated August 5, 2008, is affirmed. The claimant is ineligible for DUA benefits because she is eligible for state unemployment insurance benefits.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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