

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JONI D WICHERT
Claimant

APPEAL NO: 13A-UI-13888-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

NEBRASKA COAST INC
Employer

OC: 08/12/12
Claimant: Appellant (4/R)

Iowa Code 96.5(2)a – Requalifying Wages

PROCEDURAL STATEMENT OF THE CASE:

The Appeals Section set up an appeal from an April 2, 2013 determination (reference 05) that disqualified the claimant from receiving benefits based on the reasons for her employment separation with the employer. The claimant did not appeal the April 2 determination. Instead, the claimant questioned why she was not held eligible to receive benefits after she earned requalifying wages. The claimant participated at the January 13 hearing. The employer was initially present at the hearing. As a result of the issue the claimant had appealed, the employer chose not to participate at the hearing. Based on the information the claimant presented, she established that she is eligible to receive benefits as of June 16, 2013.

ISSUE:

What date did the claimant earn ten times her weekly benefit amount?

FINDINGS OF FACT:

The claimant did not appeal an April 2, 2013 determination (reference 05). To earn requalifying wages after March 8, 2013, the claimant had to earn gross wages of \$2410. After the claimant's employment ended on March 8, 2013, she started working for B. R. Stores, Inc. on April 10, 2013. From April 10 through June 16, 2013, the claimant earned gross wages of \$2627 from B. R. Stores, Inc.

REASONING AND CONCLUSIONS OF LAW:

A claimant is disqualified from receiving unemployment insurance benefits until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible. Iowa Code § 96.5(2)a. The evidence establishes that after the claimant's employment ended on March 8, 2013, she started working for another employer in April 10, 2013. Based on wages the claimant earned from April 10 through June 16, she earned more than ten times her weekly benefit amount or more than \$2410. As of June 16, 2013, the claimant requalified to receive benefits.

DECISION:

The claimant did not appeal the April 2, 2013 determination (reference 05) so this determination has not changed. However, since the claimant earned requalifying wages as of June 16, 2013, this determination is modified in the claimant's favor.

Since the claimant has requalified to receive benefits as of June 16, 2013, this matter is **Remanded** to the Claims Section to determine the amount of benefits she is eligible to receive as of June 16, 2013.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs