

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JAMES W STORDAHL
Claimant

APPEAL 17A-UI-06299-CL-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 06/04/17
Claimant: Appellant (1)**

Iowa Code § 96.3(4) – Determination of Benefits
Iowa Admin. Code r. 871-24.9(1)b - Dependents

STATEMENT OF THE CASE:

Claimant filed a timely appeal from the June 15, 2017, monetary record that listed zero dependents. After due notice was issued, a hearing was scheduled to be held on July 7, 2017. Claimant participated.

ISSUE:

Can the claimant's request to add one or more dependents to the claim be granted?

FINDINGS OF FACT:

Claimant filed a claim for benefits effective June 4, 2017. A monetary record was issued to claimant on June 15, 2017. On June 19, 2017, claimant requested to add his wife as a dependent on his claim. Claimant's wife earned more than \$120.00 during the week before the claim effective date.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant's request to add a dependent to the claim is denied.

Iowa Admin. Code r. 871-24.9(1)b provides:

Determination of benefit rights.

24.9(1) Monetary determinations.

b. The monetary record shall constitute a final decision unless newly discovered facts which affect the validity of the original determination or a written request for reconsideration is filed by the individual within ten days of the date of the mailing of the monetary record specifying the grounds of objection to the monetary record.

The Unemployment Insurance Benefits Handbook provides at page 15:

DEPENDENTS

The number of dependents is used to determine the WBA and MBA. Adding dependents will increase the WBA and may increase the MBA. A dependent is any individual who could have been claimed on the prior year's income tax return or will be claimed this year. A claim may include a maximum of four dependents. Dependents can only be added within 10 days of filing the initial claim.

A spouse may be considered a dependent if they earned \$120.00 or less in wages (excluding self-employment) during the week before the claim effective date.

Dependents cannot be:

- the individual claiming UI benefits
- a person already listed on another non-expired claim
- a spouse who listed the individual on their non-expired claim

Dependents claimed incorrectly may result in an overpayment.

Because the claimant's wife earned more than \$120.00 in wages during the week before the claim effective date, the request to add claimant's wife as a dependent must be denied.

DECISION:

The June 15, 2017, monetary record is affirmed. Claimant is not entitled to claim one (1) dependent on the claim effective June 4, 2017.

Christine A. Louis
Administrative Law Judge
Unemployment Insurance Appeals Bureau
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Des Moines, Iowa 50319-0209
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Decision Dated and Mailed

cal/rvs