

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CATHERINE P CELSI**  
Claimant

**APPEAL NO. 10A-UI-17712-VST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 01/10/10**  
**Claimant: Appellant (1)**

Section 96.4-4 – Requalification for Second Benefit Year

**STATEMENT OF THE CASE:**

The claimant filed an appeal from a representative's decision dated December 21, 2010, reference 01, which held the claimant was disqualified from receiving unemployment insurance benefits effective January 10, 2010. After due notice, a telephone conference hearing was scheduled for and held on February 19, 2011. The claimant participated. The record consists of the testimony of Catherine Celsi. Official notice is taken of agency records.

**ISSUE:**

Whether the claimant has worked and been paid wages of at least \$250.00 in insured wages since her prior claim.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony of the witness and having considered all of the evidence in the record, makes the following findings of fact:

The claimant established an original claim for benefits with an effective date of January 11, 2009. The claimant was laid off by Meredith Corporation on January 8, 2009. She has not worked and been paid wages since her layoff.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.4-4-a-b-c provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

- a. The individual has been paid wages for insured work during the individual's base period in an amount at least one and one-quarter times the wages paid to the individual during that quarter of the individual's base period in which the individual's wages were highest; provided that the individual has been paid wages for insured work totaling at least three and five-tenths percent of the statewide average annual wage for insured

work, computed for the preceding calendar year if the individual's benefit year begins on or after the first full week in July and computed for the second preceding calendar year if the individual's benefit year begins before the first full week in July, in that calendar quarter in the individual's base period in which the individual's wages were highest, and the individual has been paid wages for insured work totaling at least one-half of the amount of wages required under this paragraph in the calendar quarter of the base period in which the individual's wages were highest, in a calendar quarter in the individual's base period other than the calendar quarter in which the individual's wages were highest. The calendar quarter wage requirements shall be rounded to the nearest multiple of ten dollars.

b. For an individual who does not have sufficient wages in the base period, as defined in section 96.19, to otherwise qualify for benefits pursuant to this subsection, the individual's base period shall be the last four completed calendar quarters immediately preceding the first day of the individual's benefit year if such period qualifies the individual for benefits under this subsection.

(1) Wages that fall within the alternative base period established under this paragraph "b" are not available for qualifying benefits in any subsequent benefit year.

(2) Employers shall be charged in the manner provided in this chapter for benefits paid based upon quarters used in the alternative base period.

c. If the individual has drawn benefits in any benefit year, the individual must during or subsequent to that year, work in and be paid wages for insured work totaling at least two hundred fifty dollars, as a condition to receive benefits in the next benefit year.

The evidence established that the claimant has not been paid wages for insured work either during or after her previous benefit year. She is, therefore, not eligible for unemployment insurance benefits effective January 10, 2010.

**DECISION:**

The representative's decision dated December 21, 2011, reference 01, is affirmed. The claimant is not eligible for unemployment insurance benefits effective January 10, 2010.

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Vicki L. Seeck  
Administrative Law Judge

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Decision Dated and Mailed

vls/kjw