

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JUDITH A CORNETT
Claimant

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

APPEAL 20A-UI-03661-AW-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 04/05/20
Claimant: Appellant (1)

Iowa Code § 96.4(4) – Eligibility – 1 ¼ x High Quarter, 8x 2nd Benefit Year

STATEMENT OF THE CASE:

Claimant filed an appeal from the April 13, 2020 monetary determination. Claimant was properly notified of the hearing. A telephone hearing was held on May 22, 2020, at 2:30 p.m. Claimant participated. No exhibits were admitted. Official notice was taken of the administrative record.

ISSUES:

Whether claimant's monetary determination is correct.
Whether claimant is monetarily eligible to receive benefits.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed an initial claim for benefits effective April 5, 2020. The base period for that claim year begins with the first quarter of 2019 and ends with the fourth quarter of 2019. Claimant's earnings for each quarter during the base period are as follows:

First quarter of 2019:	\$1,032.90
Second quarter of 2019:	\$619.74
Third quarter of 2019:	\$876.40
Fourth quarter of 2019:	\$690.52

Claimant does not allege that the wages reported on the monetary determination are incorrect. Claimant presented evidence of wages earned in the first quarter of 2020, which is the lag quarter and does not count toward the benefit year wages or benefit calculation. Claimant's wages for the first quarter of 2020 total \$1,258.00.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the monetary determination is correct and claimant not monetarily eligible to receive benefits.

Iowa Code section 96.4(4)(a) 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.

Because the proffered wages do not fall within the base period for this claim year, the monetary record is correct.

Claimant must have wages in at least two quarters during the base period. Effective July 7, 2019, claimant is required to have earned at least \$1,660.00 in the highest quarter of earnings and at least \$830.00 in the second highest quarter of earnings. Claimant's total base period earnings must be at least 1.25 times the wages earned in the highest quarter.

In her highest quarter during the base period, claimant earned \$1,032.90. Because claimant did not earn at least \$1,660.00, claimant is not monetarily eligible to receive benefits during the claim year beginning April 5, 2020. Furthermore, claimant's earnings during the lag quarter were \$1,258.00, so she also would not be monetarily eligible with an alternate base period.

Note to Claimant: This decision determines you are not eligible for regular unemployment insurance benefits. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision. Individuals who do not qualify for regular unemployment insurance benefits due to disqualifying separations, but who are currently unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.

DECISION:

The April 13, 2020 monetary determination is affirmed. Claimant is not eligible to receive benefits during the claim year beginning April 5, 2020.



Adrienne C. Williamson
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May 27, 2020
Decision Dated and Mailed

acw/scn