

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JULIE K CARPENTER
Claimant

APPEAL NO. 10A-EUCU-00533-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 12/21/08
Claimant: Appellant (5)

Public Law 110-252 – Eligibility for Emergency Unemployment Compensation

STATEMENT OF THE CASE:

Julie K. Carpenter filed a timely appeal from an unemployment insurance decision dated June 18, 2010, reference 02, that ruled she was ineligible for emergency unemployment compensation benefits effective December 20, 2009, upon a finding that she was monetarily eligible for state unemployment insurance benefits effective that date. Due notice was issued for a telephone hearing to be held July 24, 2010. After reviewing the case with the claimant, a formal hearing was not necessary.

ISSUE:

Was the claimant eligible for emergency unemployment compensation benefits effective December 20, 2009?

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: Julie K. Carpenter filed a state unemployment insurance claim effective December 21, 2008. She exhausted her state benefits and began receiving emergency unemployment compensation on that claim. Belatedly, the Agency realized that Ms. Carpenter was monetarily eligible for state unemployment insurance benefits effective December 20, 2009. The state benefits were used to offset the federal emergency unemployment compensation benefits that had been paid in error for weeks following December 20, 2009. Ms. Carpenter has now exhausted benefits on her state claim effective December 20, 2009. The Agency has allowed emergency unemployment compensation benefits on the December 21, 2008 claim effective July 18, 2010.

REASONING AND CONCLUSIONS OF LAW:

Congress created the emergency unemployment compensation program in Public Law 110-252. One requirement in the federal legislation is that the federal benefits not be paid to an individual who is monetarily eligible for regular state unemployment insurance benefits. For several weeks, the Agency paid federal benefits to Ms. Carpenter when it should have been paying state benefits. The error has been discovered and corrected. Ms. Carpenter has now once

again exhausted her state benefits on her December 20, 2009 claim and has been approved by the Agency for the federal extended benefits effective July 18, 2010.

DECISION:

The unemployment insurance decision dated June 18, 2010, reference 02, is modified. The claimant was ineligible for emergency unemployment compensation benefits from December 20, 2009, through July 17, 2010. Effective July 18, 2010, she is once again eligible for emergency unemployment compensation benefits.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw