

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DELRA V BRIONES**

Claimant

**APPEAL NO: 11A-UI-10602-DT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 05/23/10**

**Claimant: Appellant (1)**

Public Law 110–252, Title IV – Eligibility for Emergency Unemployment Compensation  
Public Law 110–449 – Additional Emergency Unemployment Compensation

**STATEMENT OF THE CASE:**

Delra V. Briones (claimant) appealed a representative's August 5, 2011 decision (reference 03), amended by a representative's decision issued on August 17, 2011 (reference 04) that concluded she was not eligible for emergency unemployment compensation (EUC) benefits as of April 7, 2011 because she had regular benefit eligibility that she had not yet exhausted. Hearing notices were mailed to the claimant's last-known address of record for a telephone hearing to be held at 9:00 a.m. on September 6, 2011. The claimant failed to respond to the hearing notice and provide a telephone number at which she could be reached for the hearing and did not participate in the hearing. Based on a review of the available information and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUES:**

Was the claimant eligible for EUC benefits as of April 17, 2011?

**FINDINGS OF FACT:**

The claimant established an initial unemployment insurance benefit year effective May 23, 2010. She received regular unemployment insurance benefits under that claim year until those benefits were exhausted the week ending April 16, 2011. Her claim was then reopened as an additional claim for EUC benefits effective April 17, and she began receiving benefits under that program. However, as of April 17, 2011, she was monetarily eligible for an unemployment insurance claim in the state of Minnesota, and as of May 22, 2011 she established a second regular claim in Iowa.

**REASONING AND CONCLUSIONS OF LAW:**

The federal program specifies that EUC benefits are only available for workers who have exhausted all rights to regular unemployment compensation benefits. Public Law 110-252, Title VI, effective June 30, 2008. In this case, the claimant was not eligible to receive EUC benefits

under her 2010 claim year as of April 17, 2011, because at that time she was monetarily eligible for a regular claim for benefits.

**DECISION:**

The representative's August 5, 2011 (reference 03) decision, as amended by the representative's August 17, 2011 (reference 04) decision, is affirmed. The claimant was not eligible for EUC benefits as of April 17, 2011.

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Lynette A. F. Donner  
Administrative Law Judge

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Decision Dated and Mailed

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