

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

BRUCE D VAUGHN
Claimant

APPEAL NO. 13A-UI-13339-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 11/17/13
Claimant: Appellant (1)**

Section 96.4-4 – Earnings Qualification \$250 Requirement

STATEMENT OF THE CASE:

The claimant appealed from a representative's decision dated November 27, 2013, reference 01, that held he was not eligible for benefits November 17, 2013, because he failed to earn at least \$250 of wages after or during his previous benefit year. A hearing was held on December 26, 2013. The claimant participated.

ISSUE:

The issue is whether the claimant has re-qualified for unemployment benefits.

FINDINGS OF FACT:

The administrative law judge having considered the evidence in the record finds that: Claimant filed a UI claim effective November 18, 2012 and he claimed for and received benefits through the week ending November 16, 2013. Claimant filed a second or subsequent benefit year claim effective November 17, 2013. The department record does not show he earned wages for insured work of at least \$250 during or after his prior benefit year.

Claimant recently worked for DC Corporation and he believes he has qualified earnings of at least \$250. He did not provide proof of earnings for this hearing, but he was instructed to take the proof to his local workforce center for re-qualification.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.4-4 provides:

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

4. 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 subsection 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.

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 administrative law judge concludes claimant is not eligible to received UI benefits November 17, 2013 because he has failed to earn wages of at least \$250 during or after his previous benefit year. Claimant did not offer evidence that he earned the \$250 to make him eligible for IU benefits on his November 17, 2013 claim.

Claimant did not have proof to offer for this hearing, but he was instructed to provide it to his local office for re-qualification.

DECISION:

The decision of the representative dated November 27, 2013, reference 01, is affirmed. The claimant is not eligible to receive benefits on his November 17, 2013 UI claim. He must re-qualify by earning at least \$250 wages for insured work.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/pjs