

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

MARY J BRAY
Claimant

APPEAL NO. 21A-UI-18674-B2-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 04/25/21
Claimant: Appellant (1)**

Iowa Code § 96.6-2 – Timeliness of Appeal
Iowa Code § 96.4-4 – Wages Earned Between Claim Years

STATEMENT OF THE CASE:

Claimant filed an appeal from the August 4, 2021, reference 01, decision that denied benefits. After due notice was issued, a hearing was held on October 14, 2021. The claimant did participate.

ISSUES:

Whether the appeal is timely?

Whether claimant has worked and earned insured wages of at least eight times the weekly benefit amount of the previous claim year?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: A decision was mailed to the claimant's last known address of record on August 4, 2021. The decision contained a warning that an appeal must be postmarked or received by the Appeals Section by August 14, 2021. The appeal was filed on August 13, 2021. It was a timely appeal.

Claimant stated that she has not had any earnings since she filed and original claim on April 26, 2020.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge holds claimant has not earned sufficient wages during the last benefit year to qualify for benefits.

Iowa Code section 96.4(4)a-c provides:

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

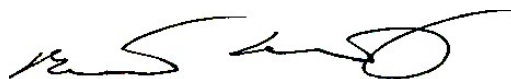
4. a. The individual has been paid wages for insured work during the individual's base period in an amount at least one and one-quarter times the wages paid to the individual during that quarter of the individual's base period in which the individual's wages were highest; provided that the individual 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.

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 eight times the individual's weekly benefit amount, as a condition to receive benefits in the next benefit year.

As claimant has earned no wages since filing for benefits on April 26, 2020, she has not qualified for benefits in a second benefit year.

DECISION:

The decision of the representative dated August 4, 2021, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work in the amount of eight times his weekly benefit amount, provided claimant is otherwise eligible.



Blair A. Bennett
Administrative Law Judge

October 21, 2021
Decision Dated and Mailed

bab/kmj