

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RONALD J BLANCHET
Claimant

APPEAL NO. 11A-EUCU-00377-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 12/07/08
Claimant: Appellant (1)**

Section 96.19(20) – Exhaustee Defined

STATEMENT OF THE CASE:

Ronald Blanchet filed an appeal from a representative's decision dated April 1, 2011, reference 06, which held he was not eligible for emergency unemployment benefits for the week ending December 12, 2009 because he was monetarily eligible to receive regular unemployment benefits for the same week. After due notice was issued, a hearing was held by telephone on April 25, 2011. Mr. Blanchet participated personally.

ISSUE:

At issue in this matter is whether Mr. Blanchet was eligible for emergency unemployment benefits for the week ending December 12, 2009.

FINDINGS OF FACT:

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Blanchet filed a claim for regular job insurance benefits effective December 7, 2008. He filed a claim for emergency unemployment benefits effective September 6, 2009. He was paid a total of \$354.00 in emergency benefits for the week ending December 12, 2009.

Mr. Blanchet's 2008 claim expired December 6, 2009. He subsequently filed a new claim for regular unemployment benefits effective December 6, 2009. He was paid \$374.00 in regular job insurance benefits for the week ending December 12, 2009.

REASONING AND CONCLUSIONS OF LAW:

In order to receive emergency unemployment benefits, an individual must be an "exhaustee" as defined by Iowa Code § 96.19(20). An "exhaustee" is an individual who is not eligible to receive regular unemployment benefits. Because Mr. Blanchet was eligible for regular unemployment benefits effective December 6, 2009, he was not eligible to receive emergency unemployment as of December 6, 2009. Therefore, the representative's decision denying emergency benefits for the week ending December 12, 2009 was correct and shall be affirmed.

DECISION:

The representative's decision dated April 1, 2011, reference 06, is hereby affirmed. Mr. Blanchet was not eligible to receive emergency unemployment benefits effective December 6, 2009 because he was eligible to receive regular unemployment benefits as of that date.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/pjs