

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JEFF J JOHNSON
Claimant

APPEAL 20A-UI-00153-JC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 12/15/19
Claimant: Appellant (2)**

Iowa Code § 96.4(4) – Monetary Eligibility and Subsequent Benefit Year

STATEMENT OF THE CASE:

The claimant/appellant, Jeff J. Johnson, filed an appeal from the December 26, 2019 (reference 01) Iowa Workforce Development (“IWD”) unemployment insurance decision that denied benefits because the claimant had failed to earn sufficient wages to be monetarily eligible for a second benefits year. After proper notice, a telephone hearing was held on January 27, 2020. The claimant participated personally. Gary Youngman testified on behalf of the claimant.

Claimant’s Exhibit A, consisting of a W-2 form he received for 2019, was received after the hearing ended and admitted into the record. The administrative law judge took official notice of the administrative record. Based on the evidence, the arguments presented, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Did the claimant earn insured wages of at least eight times the prior claim year’s WBA during or after the previous benefit year to become eligible for a second benefit year?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed until December 16, 2018 at Little Wall Inc. until he was laid off. He established a claim for unemployment insurance benefits effective December 16, 2018 in response to his layoff. His weekly benefit amount (WBA) for the claim year was \$467.00.

In May 2019, the claimant returned to employment at Little Wall Inc. and worked until September 2019, when he was laid off of work. He then established a claim for unemployment insurance benefits for a second year with an effective date of December 15, 2019. He earned \$24,350.52 in wages (Claimant Exhibit A) after establishing his claim for unemployment insurance benefits effective December 16, 2018. (While these wages were not reflected in the original monetary record, they are now listed within the administrative record (See Wage-A)).

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant is eligible to receive benefits during the subsequent benefit year.

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.

Because the claimant did demonstrate an ongoing connection to the labor market by earning at least eight times the prior claim year's WBA in insured wages during or subsequent to the claim year beginning December 16, 2018, he is eligible to receive benefits during the current claim year beginning December 15, 2019.

DECISION:

The December 26, 2019, (reference 01) unemployment decision is reversed. The claimant is monetarily eligible to receive benefits during the current claim year beginning December 15, 2019.

Jennifer L. Beckman
Administrative Law Judge
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Decision Dated and Mailed

jlb/rvs