

**IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI**

**ALBERT C BLOMMERS
302 S 17TH ST
OSKALOOSA IA 52577**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**Appeal Number: 05A-UI-01765-CT
OC: 02/06/05 R: 03
Claimant: Appellant (1)**

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.4(4) – Second Benefit Year Requalification

STATEMENT OF THE CASE:

Albert Blommers filed an appeal from a representative's decision dated February 16, 2005, reference 01, which denied benefits on a finding that he had not earned at least \$250.00 in insured wages since the beginning of his prior benefit year. After due notice was issued, a hearing was held by telephone on March 8, 2005. Mr. Blommers participated personally.

FINDINGS OF FACT:

Having heard the testimony of the witness and having reviewed all the evidence in the record, the administrative law judge finds: Mr. Blommers filed a claim for job insurance benefits

effective February 8, 2004. He has not earned at least \$250.00 in insured wages since filing the prior claim. The current claim was filed effective February 6, 2005.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Mr. Blommers is entitled to receive benefits on the second benefit year claim filed effective February 6, 2005. In order to receive benefits during a second year, an individual must have earned at least \$250.00 in insured wages since the beginning of the prior benefit year. Iowa Code section 96.4(4). Because Mr. Blommers has not earned the requisite wages, he is not entitled to benefits on the claim filed effective February 6, 2005.

DECISION:

The representative's decision dated February 16, 2005 , reference 01, is hereby affirmed. Mr. Blommers is not entitled to benefits on the claim filed effective February 6, 2005 because he has not earned the required wages. Benefits are withheld until such time as he has been paid insured wages of at least \$250.00, provided he satisfies all other conditions of eligibility.

cfc/sc