

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

BENEDICTO J KOEPPPEL
Claimant

APPEAL NO. 11A-UI-03829-PT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 03/07/10
Claimant: Appellant (1)

Public Law 110-252 –Emergency Unemployment Compensation

Section 96.19-20 –Definition of Exhaustee

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated March 18, 2011, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on April 16, 2011. Claimant participated.

ISSUE:

Whether the claimant eligible to receive state unemployment insurance benefits through Illinois.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds:

The claimant filed a regular Iowa claim effective March 7, 2010. After that regular claim expired he accepted emergency unemployment compensation benefits. He filed a new Iowa claim effective March 6, 2011. At that time it was discovered that the claimant would have been eligible for regular unemployment on an Illinois combined wage claim effective November 7, 2010. The claimant is eligible for regular unemployment insurance benefits on an Illinois combined wage claim effective November 7, 2010.

REASONING AND CONCLUSIONS OF LAW:

The Emergency Unemployment Compensation (EUC) program was created by Public Law 110 252, Title VI. This new temporary unemployment insurance program provides up to 13 additional weeks of unemployment benefits to certain workers who have exhausted their rights to regular unemployment compensation benefits.

In order to receive extended unemployment insurance benefits (EUC), a person must be an "exhaustee" within the meaning of unemployment insurance law. Pursuant to Iowa Code §

96.19(20), a person is not an "exhaustee" if he is monetarily eligible for regular unemployment insurance benefits in Iowa or another state.

Because the claimant is monetarily eligible to receive regular unemployment insurance benefits in Illinois he not an "exhaustee" for purposes of receiving federal extended unemployment compensation benefits (EUCU). The claimant is not eligible to receive Emergency Unemployment Compensation benefits.

DECISION:

The decision of the representative dated March 18, 2011, reference 01, is affirmed. The claimant is not eligible to receive Emergency Unemployment Compensation benefits from Iowa because he is eligible to receive regular unemployment insurance benefits from Illinois.

Ron Pohlman
Administrative Law Judge

Decision Dated and Mailed

rrp/pjs