

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MARILYN M HLAS**  
Claimant

**APPEAL NO. 08A-UI-08074-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 08/24/08 R: 02**  
**Claimant: Appellant (1)**

Section 96.4-4 – Second Benefit Year Earning Requirement

**STATEMENT OF THE CASE:**

Marilyn M. Hlas filed a timely appeal from an unemployment insurance decision dated September 4, 2008, reference 01, that denied benefits to her upon a finding that she had not been paid insured wages of at least \$250.00 since the beginning of the last benefit year in which she had received unemployment insurance benefits. After due notice was issued, a telephone hearing was held September 25, 2008 with Ms. Hlas participating. Exhibit A was admitted into evidence on her behalf. The administrative law judge takes official notice of Agency benefit payment records and wage records.

**ISSUE:**

Has the claimant earned and been paid insured wages of at least \$250.00 since August 26, 2007?

**FINDINGS OF FACT:**

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: Marilyn M. Hlas received unemployment insurance benefits during a benefit year that began August 26, 2007. She opened a new benefit year effective August 24, 2008. Ms. Hlas has been paid no wages covered by the unemployment insurance system since the beginning of her August 2007 benefit year.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether Ms. Hlas has met the second benefit year earnings requirement. She has not.

In general, the unemployment insurance system is designed to provide short-term assistance to unemployed workers who establish attachment to the workforce. For this reason, the law requires a certain minimum level of earnings in insured work before allowing benefits in a second benefit year. The Iowa General Assembly has set \$250.00 as that minimum level of earnings necessary to establish attachment to the workforce. While Ms. Hlas has received

taxable income, she has not received wages covered by the unemployment insurance system since she filed her claim for benefits in August of 2007. Thus, she is not eligible for unemployment insurance benefits at this time on her claim filed August 24, 2008.

Should the claimant receive such covered wages, she should make that information known to her local Workforce Development Center.

**DECISION:**

The unemployment insurance decision dated September 4, 2008, reference 01, is affirmed. The claimant is ineligible for unemployment insurance benefits at this time.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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