

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

BRENDA J EVANS

Claimant

APPEAL NO: 13A-UI-00468-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 12/16/12

Claimant: Appellant (1)

Iowa Code § 96.4(4) - Second Benefit Year \$250.00 Requirement

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's January 3, 2013 determination (reference 01) that held she was not eligible to receive regular unemployment insurance benefits in a subsequent benefit year (as of December 16, 2012) because she had not earned wages of at least \$250.00 since December 18, 2011. The claimant participated in the phone hearing. Based on the evidence, the arguments of the claimant, the administrative law judge concludes the claimant did not establish that she has earned \$250.00 since December 18, 2011.

ISSUE:

Has the claimant satisfied the \$250.00 wage requirement to receive benefits in a second benefit year?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of December 18, 2011. She filed for and received benefits since December 18, 2011. The claimant has worked for a temporary staffing firm in Illinois, but she does not know the gross wages she earned in 2012 from this employer.

When the claimant's benefit year ended on December 15, 2012, the Department concluded she was monetarily eligible to establish a subsequent benefit year. Once the claimant establishes that she has earned \$250.00 since December 18, 2011, she will be monetarily eligible to receive a maximum of \$211.00 a week in her new benefit year.

REASONING AND CONCLUSIONS OF LAW:

If a claimant has drawn benefits in any benefit year, the claimant must, during or subsequent to that year, work in and be paid wages for insured work totaling at least \$250.00, as a condition to receive benefits in the next benefit year. Iowa Code § 96.4(4). The facts establish the claimant has earned wages in Illinois, but the claimant did not know the gross wages she had earned from an Illinois employer in 2012. Since the claimant did not know how much she has earned, she did not establish at the hearing she has earned \$250.00 since December 18, 2011. As a

result, she is not eligible to receive benefits in her second benefit year until she provides her local Workforce office proof of how much she earned from an Illinois employer or that she has earned \$25,000 in wages since December 18, 2011. If the claimant's W-2 form from the Illinois employer indicates she has earned \$250.00 or more, the claimant should provide a copy of that form to her local Workforce office.

DECISION:

The representative's January 3, 2013 determination (reference 01) is affirmed. As of February 14, 2013, the claimant did not establish that she has earned \$250.00 in wages to be eligible to receive benefits in a second benefit year. When the claimant has documentary verification she has earned \$250.00 or more since December 18, 2011, she must provide that information to her local Workforce office so she can receive benefits from her second benefit year.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/tll