

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SCOTT L HODGE
Claimant

APPEAL NO: 12A-UI-14070-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 11/11/12
Claimant: Appellant (4)**

Iowa Code § 96.4(4) – Monetary Determination

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a November 20, 2012 monetary determination that held him ineligible to receive unemployment insurance benefits because he did not have sufficient wages from July 1, 2011, through June 30, 2012. On December 4, 2012, the Department determined the claimant monetarily eligible to receive benefits using an alternate base period. As a result of the December 4 monetary determination, the claimant agreed on December 18 there was no need for a hearing on December 19, 2012. Based on the administrative record and the law, the administrative law judge agrees the claimant is monetarily eligible to receive benefits based on an alternate base period.

ISSUE:

Is the claimant monetarily eligible to receive benefits as of November 11, 2012?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of November 11, 2012. The claimant's "regular" base period on this claim is July 1, 2011 through June 30, 2012. The claimant earned the following wages

	2011/3	2011/4	2012/1	2012/2	2012/3
City of Ankeny			\$525.66	\$7,454.65	\$7,848.94

A November 20, 2012 monetary determination informed the claimant he did not have sufficient wages in his base period to receive unemployment insurance benefits. A December 4, 2012 monetary determination determined that by using an alternate base period, the claimant was monetarily eligible to receive a maximum weekly benefit amount of \$341.00.

REASONING AND CONCLUSIONS OF LAW:

To be monetarily eligible to receive benefits, a claimant must have been paid wages for insured work during his base period in an amount at least one and one-quarter times the wages paid to the claimant during that the highest quarter of the base period. Iowa Code § 96.4(4)a. Base

period is defined as consisting of the first four of the last five completed calendar quarters immediately preceding the calendar quarter in which the individual's claim for benefits is effective. 871 IAC 24.1(11). Based on the wages the claimant earned during his base period, he is not monetarily eligible to receive benefits as of November 11, 2012. ($\$7,454.65 \times 1.25 = \$9,318.00$, and $7,454.65$ plus 524.66 only equals $\$7,979.00$)

Iowa Code § 96.4(4)b, provides an alternate base period for claimants who do not have sufficient wages in the "regular" base period. For these individuals, the base period shall be the last four completed calendar quarters immediately preceding the first day of the claimant's benefit year. The claimant's alternate base period is October 1, 2011 through September 30, 2012. The wages the claimant earned during this time frame make him monetarily eligible to receive a maximum of $\$341.00$ a week in regular benefits. ($\$7,848.94 \times 1.25 = \$9,811.00$)

DECISION:

The November 20, 2012 monetary determination was modified or amended by a December 4, 2012 monetary determination. Based on an alternate base period, the claimant is monetarily eligible to receive benefits as of November 11, 2012.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css