

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SHELLI L NISSEN
Claimant

APPEAL NO. 12A-UI-05488-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 08/30/09
Claimant: Appellant (1)

Public Law 110-252 – Emergency Unemployment Compensation

STATEMENT OF THE CASE:

Shelli L. Nissen filed a timely appeal from an unemployment insurance decision dated May 1, 2012, reference 06, that ruled she was ineligible for Emergency Unemployment Compensation benefits effective August 28, 2011 because she was monetarily eligible for regular state unemployment insurance benefits as of that date. After due notice was issued, a telephone hearing was held June 27, 2012 with Ms. Nissen participating. This decision is considered on a consolidated record with 12A-UI-05489-AT.

ISSUE:

Is the claimant eligible for Emergency Unemployment Compensation benefits effective August 28, 2011?

FINDINGS OF FACT:

Shelli L. Nissen was employed by The Country Garden during the period August 1, 2010 through March 31, 2011. Her earnings were high enough to make her monetarily eligible for a state unemployment insurance claim effective August 28, 2011. Ms. Nissen had been receiving Emergency Unemployment Compensation benefits at a higher weekly benefit amount based on her state claim filed effective August 30, 2009.

REASONING AND CONCLUSIONS OF LAW:

Public Law 110-252, an act of Congress, created the Emergency Unemployment Compensation Program and established eligibility requirements. One requirement is that an individual cannot receive federal Emergency Unemployment Compensation benefits for any week that the individual is monetarily eligible for regular state unemployment insurance benefits.

The evidence in this record establishes that Ms. Nissen had sufficient earnings in 2010 and early 2011 to be monetarily eligible for a state unemployment insurance claim effective August 28, 2011. Therefore, she does not meet the eligibility requirements for receiving Emergency Unemployment Compensation benefits as of that date.

DECISION:

The unemployment insurance decision dated May 1, 2012, reference 06, is affirmed. The claimant is ineligible for Emergency Unemployment Compensation benefits effective August 28, 2011.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

pjs/pjs