

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JOHANN A LINDNER
Claimant

AUTOZONERS LLC
Employer

APPEAL 21A-UI-24319-DH-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 10/24/21
Claimant: Appellant (1)

Iowa Code § 96.3(4) - Determination of Benefits
Iowa Code § 96.3(4) - Determination of Benefits
Iowa Code § 96.4(4) - Eligibility of Benefits

STATEMENT OF THE CASE:

Claimant, Johann Lindner, filed a timely appeal from the October 24, 2021 monetary determination (reference 00). After due notice was issued, a telephone conference hearing was held on December 28, 2021. Claimant participated. Employer, Autozoners LLC, failed to call into the hearing and did not participate. Judicial notice was taken of the administrative file.

ISSUE:

Is the claimant's monetary determination correct?
Is the claimant monetarily eligible to receive benefits?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

The monetary record appealed from shows wages as follows:

QUARTER	3RD QRT 2020	4TH QRT 2020	1ST QRT 2021	2ND QRT 2021
WAGES				\$14,486.84

Claimant asserted his wages were not correct and that he worked for employer from July 2012 through October 2021, but did not present any documentation to support wages earned. The administrative record did not reflect the relevant wages he asserted. The above is the only relevant wages reported.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the monetary record is correct.

Iowa Code section 96.4(4) provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

4. The individual has been paid wages for insured work during the individual's base period in an amount at least one and one-quarter times the wages paid to the individual during that quarter of the individual's base period in which the individual's wages were highest; provided that the individual has been paid wages for insured work totaling at least three and five-tenths percent of the statewide average annual wage for insured work, computed for the preceding calendar year if the individual's benefit year begins on or after the first full week in July and computed for the second preceding calendar year if the individual's benefit year begins before the first full week in July, in that calendar quarter in the individual's base period in which the individual's wages were highest, and the individual has been paid wages for insured work totaling at least one-half of the amount of wages required under this subsection in the calendar quarter of the base period in which the individual's wages were highest, in a calendar quarter in the individual's base period other than the calendar quarter in which the individual's wages were highest. The calendar quarter wage requirements shall be rounded to the nearest multiple of ten dollars.

If the individual has drawn benefits in any benefit year, the individual must during or subsequent to that year, work in and be paid wages for insured work totaling at least two hundred fifty dollars, as a condition to receive benefits in the next benefit year.

Iowa Admin. Code r. 871-24.1(11) provides:

Base period. The period of time in which the amount of wages paid to an individual in insured work which determines an individual's eligibility for, and the amount and duration of, benefits. The base period consists 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 with the following exception. The department shall exclude three or more calendar quarters from the individual's base period in which the individual received workers' compensation or indemnity insurance benefits and substitute consecutive calendar quarters immediately preceding the base period in which the individual did not receive workers' compensation or indemnity insurance benefits. This exception applies under the following conditions:

- a. The individual did not work in and receive wages from insured work for three calendar quarters of the base period, or
- b. The individual did not work in and receive wages from insured work for two calendar quarters and lacked qualifying wages from insured work to establish a valid claim for benefits during another quarter of the base period.

Claimant failed to submit documentation in support of his asserted wages and therefore the monetary record is correct.

Since there are insufficient wages reported for the period in question, claimant is not eligible to receive benefits.

DECISION:

The claimant filed a timely appeal to the October 24, 2021 (reference 00) monetary decision. The monetary record dated is **AFFIRMED**, as it was correctly determined and claimant is not eligible to receive benefits from the monetary record.



Darrin T. Hamilton
Administrative Law Judge

January 26, 2022
Decision Dated and Mailed

dh/kmj