

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RONALD C STEPHENS**  
Claimant

**APPEAL NO. 13A-UI-09619-NT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 07/29/12**  
**Claimant: Appellant (1)**

Section 96.19(20) – Eligibility for Emergency Unemployment Compensation

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from a representative's decision August 15, 2013, reference 01, finding the claimant not eligible to receive emergency unemployment compensation benefits effective May 5, 2013 on his Iowa unemployment insurance claim because the claimant was monetarily eligible for regular unemployment insurance benefits in the state of Nebraska. After due notice, a telephone hearing was held on September 30, 2013. The claimant participated.

**ISSUE:**

The issue is whether the claimant is eligible to receive emergency unemployment compensation if eligible for regular unemployment insurance benefits in another state.

**FINDINGS OF FACT:**

Having considered the evidence in the record, the administrative law judge finds: Ronald Stephens opened a claim for unemployment insurance benefits with an effective date of July 29, 2012 after exhausting regular unemployment insurance benefits that he was eligible for in the state of Iowa. Mr. Stephens was determined to be eligible to receive emergency unemployment compensation, that he was not eligible for regular unemployment insurance benefits in the state of Iowa, in another state or in Canada.

Mr. Stephens works as a union millwright and performs work in a number of states. Effective May 5, 2013, Mr. Stephens became monetarily eligible for a regular unemployment insurance claim in the state of Nebraska. This information was transmitted to the state of Iowa. Based upon that information, Mr. Stephens was held ineligible to receive emergency unemployment compensation on an Iowa claim effective May 5, 2013 because he no longer had exhausted all regular unemployment insurance benefits that he was monetarily eligible for in another state, the state of Nebraska.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow the administrative law judge concludes that the claimant is not eligible for emergency unemployment compensation benefits effective May 5, 2013.

Under the provisions of Public Law 110-252, Title IV, insured unemployed individuals may be eligible to receive emergency unemployment compensation benefits. Under the eligibility requirements of the law, claimants must have exhausted benefits and cannot be eligible for regular unemployment insurance benefits in another state or in Canada.

The emergency unemployment compensation benefits are payable in Iowa pursuant to an agreement entered into by the state of Iowa and the Federal government. All requirements of Iowa Code chapter 96 and the Iowa Administrative Rules apply except as modified or required by the Title IV, Public Law 110-252. Under the provisions of the law, an individual is not eligible to receive emergency unemployment compensation benefits unless he or she is an exhaustee, that is ineligible for a regular unemployment insurance claim in any other state or Canada. Because Mr. Stephens was no longer an exhaustee as of May 5, 2013, he was not eligible to receive emergency unemployment insurance compensation because of eligibility in another state.

**DECISION:**

The representative's decision dated August 15, 2013, reference 01, finding the claimant not eligible to receive emergency unemployment compensation benefits effective May 5, 2013 is affirmed.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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