

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**JANET T ENNOR**  
Claimant

**APPEAL NO. 21A-UI-07716-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 10/25/20**  
**Claimant: Appellant (1)**

Iowa Code Section 96.4(4) – Second Benefit Year

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the March 12, 2021, reference 02, decision that denied benefits in connection the second benefit year that was effective October 25, 2020, based on an Agency determination that the claimant did not meet the eight-times-weekly-benefit-amount minimum earnings requirement and, therefore, was not monetarily eligible for benefits in connection with a second benefit year. After due notice was issued, a hearing was held on May 26, 2021. Claimant participated. Exhibit A was received into evidence. The administrative law judge took official notice of the following agency administrative records: DBIN, DBRO and Wage-A.

**ISSUES:**

Whether the claimant has met the eight-times weekly benefit amount earnings requirement to be monetarily eligible for benefits in connection with a second claim year.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant established an original claim for benefits that was effective October 27, 2019. Iowa Workforce Development set the weekly benefit amount at \$420.00. Eight times At the time the claimant established her claim for benefits, she had most recently performed work on October 25, 2019. The employer for whom the claimant performed that work was Sudenga Industries, Inc. After the claimant established her claim for benefits, she made weekly claims and received benefits in connection with the claim. The benefit year that began On October 27, 2019 expired on October 24, 2020. The claimant established a new original claim and a new benefit year that was effective October 25, 2020. The claimant has not no employment and has been paid no wages since separating from Sudenga Industries in October 2019.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.4(4)(a) and (c) provides:

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

4. a. 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 paragraph 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.

...

c. 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 eight times the individual's weekly benefit amount, as a condition to receive benefits in the next benefit year.

[Emphasis added.]

The evidence establishes the claimant has not met the eight-times weekly benefit amount minimum earnings requirement since establishing the October 27, 2019 original claim and, therefore, is not monetarily eligible for benefits in connection with the new benefit year that was effective October 25, 2020. Benefits are denied effective October 25, 2020.

**DECISION:**

The March 12, 2021, reference 02, decision is affirmed. The claimant has met the eight-time weekly benefit amount minimum earnings requirement and there is not monetarily eligible for benefits in connection with a second benefit year that was effective October 25, 2020. Benefits are denied effective October 25, 2020.



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James E. Timberland  
Administrative Law Judge

August 31, 2021  
Decision Dated and Mailed

jet/mh