

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ROBERT S SHAFER
Claimant

APPEAL NO. 07A-UI-09599-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 09/23/07 R: 04
Claimant: Appellant (2)**

Section 96.4(4) – Insured Wages

STATEMENT OF THE CASE:

The claimant, Robert Shafer, filed an appeal from a decision dated October 3, 2007, reference 01. The decision disqualified him from receiving unemployment benefits, as he had not earned at least \$250.00 during or after his previous benefit year. After due notice was issued, a hearing was held by telephone conference call on October 29, 2007. The claimant participated on his own behalf. Exhibit A was admitted into the record.

ISSUE:

The issue is whether the claimant earned at least \$250.00 during or subsequent to

FINDINGS OF FACT:

Robert Shaffer filed a claim for unemployment benefits with an effective date of September 23, 2007. He had filed a previous claim effective September 23, 2006. From April to July 2007, he worked in Vermont for Computac and earned \$12,500.00.

REASONING AND CONCLUSIONS OF LAW:

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.

The claimant has provided proof he has earned at least \$250.00 during or subsequent to his previous benefit year. He has met the requirements of this Code section.

DECISION:

The representative's decision of October 3, 2007, reference 01, is reversed. Robert Shaffer has earned at least \$250.00 during or subsequent to his previous benefit year and has met the eligibility requirements as far as earnings.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/kjw