

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**KIMBERLY S DAVID**  
Claimant

**APPEAL 17A-UI-05858-H2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 05/21/17  
Claimant: Appellant (2)**

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Iowa Code § 96.4(4) – Monetary Eligibility and Subsequent Benefit Year

**STATEMENT OF THE CASE:**

Claimant filed a timely appeal from the June 2, 2017, (reference 01) decision that denied benefits finding she had not earned \$250.00 in insured wages between claim years. After due notice was issued, a hearing was held by telephone conference call on June 22, 2017. Claimant participated. Claimant's Exhibits A and B were entered and received into the record.

**ISSUE:**

Has the claimant earned at least \$250.00 in insured wages during or after the previous benefit year?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant did earn at least \$250.00 in insured wages during or subsequent to the prior claim year beginning May 22, 2016. She is not working as an independent contractor for Courtside, Inc. Since May 4 she has earned \$600.00 per week in gross wages. Her current claim with an effective date of May 21, 2017 shall be corrected to reflect that claimant earned \$600.00 in wages for the week ending May 27, 2017 and June 3, 2017.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant is eligible to receive benefits during the subsequent benefit year.

Iowa Code § 96.4(4)a-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 two hundred and fifty dollars, as a condition to receive benefits in the next benefit year.

Because the claimant did earn at least \$250.00 in insured wages during or subsequent to the claim year beginning May 21, 2017, she is eligible to receive unemployment insurance benefits in her new claim year. Since claimant is currently employed she is required to report her gross wages earned each week she claims benefits. Benefits are allowed, provided the claimant is otherwise eligible.

**DECISION:**

The June 2, 2017, (reference 01) decision is reversed. The claimant is eligible to receive benefits during the current claim year beginning May 21, 2017.

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Teresa K. Hillary  
Administrative Law Judge

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Decision Dated and Mailed

tkh/rvs