

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CAROLYN J HURSEY
Claimant

APPEAL NO. 08A-UI-06446-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 06/29/08 R: 01
Claimant: Appellant (1)**

Section 96.4(4) – Qualified Earnings

STATEMENT OF THE CASE:

The claimant, Carolyn Hursey, filed an appeal from a decision dated July 9, 2008, reference 01. The decision found her ineligible for benefits as she had not earned \$250.00 during or after her previous benefit year. After due notice was issued a hearing was held by telephone conference call on July 29, 2008. The claimant participated on her own behalf.

ISSUE:

The issue is whether the claimant has earned at least \$250.00 during or after her previous benefit year.

FINDINGS OF FACT:

Carolyn Hursey filed a claim for unemployment benefits with an effective date of June 29, 2008. She had a previous benefit year with an effective date of June 24, 2007. She has not earned at least \$250.00 during or after the previous benefit year.

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 is ineligible for benefits as she has not earned at least \$250.00 during or subsequent to her previous benefit year.

DECISION:

The representative's decision of July 9, 2008, reference 01, is affirmed. Carolyn Hursey is ineligible for benefits.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/pjs