

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**DARLENE M WEBER**  
Claimant

**APPEAL 18A-UI-06430-SC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 05/27/18**  
**Claimant: Appellant (2)**

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

**STATEMENT OF THE CASE:**

Darlene M. Weber (claimant) filed a timely appeal from the June 8, 2018, reference 01, unemployment insurance decision that denied benefits because of a lack of at least eight times the prior claim year's weekly benefit amount (WBA) in insured wages during or after the prior claim year. After due notice was issued, a hearing was scheduled to be held on June 27, 2018. The claimant responded to the hearing notice instructions but no hearing was held as there was sufficient evidence in the appeal letter and accompanying documents to resolve the matter without testimony.

**ISSUE:**

Did the claimant earn insured wages of at least eight times the prior claim year's WBA during or after the previous benefit year to become eligible for a second benefit year?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant's WBA in the prior claim year effective May 28, 2017 was \$447.00. The claimant began working for her part-time employer on or about February 7, 2018 and remains employed. The claimant earned at least eight times the prior claim year's WBA in insured wages during or subsequent to the prior claim year beginning May 28, 2017.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant has earned sufficient wages to be eligible for benefits in a second claim year, provided she meets all other eligibility requirements.

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:

Required findings.

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.

The claimant has demonstrated an ongoing connection to the labor market by earning at least eight times the prior claim year's WBA in insured wages during or subsequent to the claim year beginning May 28, 2017. Therefore, she is eligible to receive benefits during the current claim year beginning May 27, 2018, provided she is otherwise eligible.

**DECISION:**

The June 8, 2018, reference 01, unemployment insurance decision is reversed. The claimant has earned sufficient wages to be eligible for benefits in a second claim year, provided she meets all other eligibility requirements. Any benefits claimed and withheld on this basis shall be paid.

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Stephanie R. Callahan  
Administrative Law Judge

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Decision Dated and Mailed

src/rvs