

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

TERESA J DAWKINS
Claimant

APPEAL NO. 20A-UCFE-00022-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 04/05/20
Claimant: Appellant (1)

Iowa Code Section 96.4(4) – Second Benefit Year

STATEMENT OF THE CASE:

Teresa Dawkins filed a timely appeal from the July 10, 2020, reference 02, decision that denied benefits in connection with the original claim that was effective April 5, 2020, based on the deputy's determination that Ms. Dawkins did not meet the eight-time weekly benefit amount minimum earnings requirement to be eligible for benefits in a second benefit year. After due notice was issued, a hearing was held on August 26, 2020. Ms. Dawkins participated. Exhibits A and B were 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 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: Teresa Dawkins established an original claim for benefits that was effective April 7, 2019. Iowa Workforce Development set Ms. Dawkins' weekly benefit amount at \$467.00. At the time Ms. Dawkins established her claim, her most recent employer was the United States Postal Service. Ms. Dawkins had most recently performed work for the USPS on April 1, 2019. Ms. Dawkins received unemployment insurance benefits in connection with April 7, 2019 claim and exhausted regular benefits during the week that ended October 26, 2019. Ms. Dawkins established a new original claim and new claim year that was effective April 5, 2020. Ms. Dawkins has had no additional employment and no additional wages since she worked for the USPS on April 1, 2019.

REASONING AND CONCLUSIONS OF LAW:

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

[Emphasis added.]

Ms. Dawkins has not met the eight-times weekly benefit amount minimum earnings requirement to be eligible for benefits in connection with the second benefit year that took effect April 5, 2020. Ms. Dawkins received benefits in connection with the April 7, 2019 original claim and has had no additional employment or wages since the April 1, 2019 separation that prompted the April 7, 2019 original claim. Benefits are denied effective April 5, 2020 and until Ms. Dawkins meets the eight-times weekly benefit amount minimum earnings requirement. Ms. Dawkins must meet all other eligibility requirements.

DECISION:

The July 10, 2020, reference 02, decision is affirmed. The claimant has not met the minimum earnings requirement to be monetarily eligible for benefits in connection with the second benefit year that was effective April 5, 2020. Benefits are denied effective April 5, 2020 and until the claimant meets the eight-times weekly benefit amount minimum earnings requirement. The claimant must meet all other eligibility requirements.

Note to Claimant: This decision determines you are not eligible for regular unemployment insurance benefits. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision. Individuals who do not qualify for regular unemployment insurance benefits due to disqualifying separations, but who are currently unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.



James E. Timberland
Administrative Law Judge

August 27, 2020
Decision Dated and Mailed

jet/scn