

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

**HEATHER M WEBER**  
Claimant

**APPEAL NO. 15A-UI-07238-TN-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 05/24/15  
Claimant: Appellant (1)**

Section 96.3(4) – Addition of Wages to Claim

**STATEMENT OF THE CASE:**

Heather Weber filed a timely appeal from a representative's decision dated June 23, 2015, reference 02, which denied the claimant's request to have wages added to her unemployment insurance claim for the period beginning October 1, 2014 and ending December 31, 2014. After due notice was provided, a telephone hearing was held July 30, 2015. The claimant participated.

**ISSUE:**

At issue is whether the claimant's request to add wages to her unemployment insurance claim for the period beginning October 1, 2014 through December 31, 2014 was properly denied.

**FINDINGS OF FACT:**

Having considered the evidence in the record, the administrative law judge finds: Heather M. Weber opened a claim for unemployment insurance benefits with an effective date of May 24, 2015. At that time Ms. Weber had been laid off between academic terms or years from her employment with Sieda where Ms. Weber had been employed since October 1, 2014 as a preschool teacher. Ms. Weber also was employed part time as a dispatcher/jailer for Van Buren County and continued to work part time for Van Buren County when she opened her claim for unemployment insurance benefits.

Although Ms. Weber had performed services for Sieda in the fourth quarter of 2014, a wage investigation showed that Ms. Weber had not been paid for her services for Sieda until the first quarter of 2015 and, therefore, could not be used as base period wages for her current claim. The claimant's request to have those wages used in the preceding order was denied because the claimant had not been "paid" for her services in the fourth quarter of 2014 and Ms. Weber had established no other criteria for having wages added to her unemployment insurance claim for the period beginning October 1, 2014 through December 31, 2014.

**REASONING AND CONCLUSIONS OF LAW:**

The question before the administrative law judge is whether the Agency properly denied Ms. Weber's request to have wages added to her unemployment insurance claim for the period of October 1, 2014 through December 31, 2014. The Agency did.

In 1987, an Agency directive memorandum was issued by Paul Moran, defining that, "when paid" in Iowa Administrative code 345-3.2(2) (now IAC 871-32.2(2)) is defined as on the date that the employer specifies the date that an employee has been "paid" and not when the services were performed.

Because Ms. Weber was not "paid" for the services that she had previously performed for Sieda until the first quarter of 2015, they cannot be used as base period wages on Ms. Weber's most recent unemployment insurance claim because Ms. Weber had not established any other criteria for changing or substituting her own base period to request what was properly denied.

**DECISION:**

The representative's decision dated June 23, 2015, reference 02, is affirmed. The claimant's request to have wages added to her unemployment insurance claim for the period of October 1, 2014 and ending December 31, 2014 was properly denied because the claimant had not been paid for those services until the first quarter of 2015 and the claimant had not established any other good-cause reason for an alternate base period.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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