

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

NATHAN E BEARDSLEY
Claimant

APPEAL 21A-UI-16883-DZ-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 03/28/21
Claimant: Appellant (1)**

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

STATEMENT OF THE CASE:

Nathan E Beardsley, the claimant/appellant, filed an appeal from the July 23, 2021, (reference 02) unemployment insurance (UI) decision that concluded he was not eligible for unemployment insurance 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. A telephone hearing was held on September 22, 2021. Mr. Beardsley was properly notified of the hearing date and time. Mr. Beardsley participated and testified. The administrative law judge took official notice of the administrative record.

ISSUE:

Was Mr. Beardsley paid 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 the evidence in the record, the administrative law judge finds: Mr. Beardsley established an original claim for benefits that was effective March 29, 2020. Iowa Workforce Development set the Mr. Beardsley's weekly benefit amount at \$164.00. Mr. Beardsley was laid off by his employer, Deep Cleaning Janitorial due to the COVID-19 pandemic. Mr. Beardsley received regular unemployment insurance (UI) benefits, and Federal Pandemics Unemployment Compensation (FPUC) benefits in connection with the claim. The claim year expired on March 28, 2021.

Mr. Beardsley established a new original claim and a new claim year that was effective March 28, 2021. Iowa Workforce Development sent Mr. Beardsley a monetary record that acknowledged his base period wages and that set his weekly benefit amount at \$134.00. Mr. Beardsley has been paid \$0.00 in insured wages since he was laid off in March 2020.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes that Mr. Beardsley is not eligible to receive REGULAR unemployment insurance benefits during the subsequent benefit year.

Iowa Code section 96.4(4)(a) and (c) provide:

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.]

Iowa Code Section 96.1A(14), (16) and (26) provides

14. "Employer" means:

a. For purposes of this chapter with respect to any calendar year after December 31, 2018, any employing unit which in any calendar quarter in either the current or preceding calendar year paid wages for service in employment.

...

16. "Employment".

a. Except as otherwise provided in this subsection, "employment" means service, including service in interstate commerce, performed for wages or under any contract of hire, written or oral, expressed or implied.

...

26. "Insured work" means employment for employers.

Qualifying wages are those subject to contribution under a state employment security law or wages subject to tax under the federal Unemployment Tax Act. See Iowa Admin. Code r. 871-24.1(131), (132).

Mr. Beardsley has not met the eight-times-weekly-benefit-amount minimum earnings requirement and, therefore, is not eligible for benefits in connection with the second benefit year that was effective March 28, 2021. Mr. Beardsley established a claim in an earlier benefit year and received benefits in connection with that claim. In order to meet the eight-times-weekly-benefit-amount minimum earnings requirement, Mr. Beardsley would need to have been employed and to have been paid eight times his \$164.00 weekly benefit amount subsequent to his March 2020 layoff. That amount would be \$1,312.00. Because Mr. Beardsley has not received at least \$1,312.00 in wages from insured work during the relevant period, he is not eligible for benefits in connection with the second benefit year that was effective March 28, 2021.

DECISION:

The July 23, 2021, (reference 02) unemployment insurance decision is affirmed. Mr. Beardsley did not meet the eight-times-weekly-benefit-amount minimum earnings requirement to be monetarily eligible for benefits in connection with a second benefit year. Mr. Beardsley is not eligible for benefits in connection with the benefit year that started on March 28, 2021.



Daniel Zeno
Administrative Law Judge
Iowa Workforce Development
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax 515-478-3528

September 28, 2021
Decision Dated and Mailed

dz/mh

NOTE TO MR. BEARDSLEY:

- Your current benefit year ends on March 27, 2022.
- **If you are paid insured wages of at least \$1,312.00 between now and the end of your current benefit year**, let Iowa Workforce Development (IWD) know since **you may become eligible for REGULAR UI benefits**.
- You can let IWD know by emailing uicclaimshelp@iwd.iowa.gov Include the following information in your email:
 - Your name,
 - Your address,
 - The last four numbers of your Social Security number, and
 - Evidence (a picture or an attachment) of your wages.