

(4) MAY NOT HAVE A RIGHT TO UNEMPLOYMENT ALLOWANCES OR BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT OR ANY OTHER FEDERAL LAW THAT THE UNITED STATES SECRETARY OF LABOR SPECIFIES BY REGULATION;

(5) SHALL NOT HAVE RECEIVED AND SHALL NOT BE SEEKING UNEMPLOYMENT BENEFITS UNDER THE UNEMPLOYMENT INSURANCE LAW OF CANADA OR IF BENEFITS HAVE BEEN SOUGHT UNDER THAT LAW, SHALL HAVE BEEN FINALLY DETERMINED BY THE APPROPRIATE UNIT NOT TO BE ELIGIBLE; AND

(6) SHALL HAVE EXHAUSTED REGULAR BENEFITS AS PROVIDED IN THIS SUBSECTION.

(C) EXHAUSTION OF OTHER BENEFITS.

(1) AN INDIVIDUAL HAS EXHAUSTED THE REGULAR BENEFITS FOR A WEEK OF UNEMPLOYMENT DURING THE INDIVIDUAL'S ELIGIBILITY PERIOD IF:

(I) BEFORE THAT WEEK, THE INDIVIDUAL HAS RECEIVED ALL REGULAR BENEFITS AND ALLOWANCES FOR DEPENDENTS AND BENEFITS PAYABLE TO FEDERAL CIVILIAN EMPLOYEES AND FORMER SERVICEMEMBERS UNDER 5 U.S.C., CHAPTER 85, THAT WERE AVAILABLE TO THE INDIVIDUAL UNDER THIS TITLE OR THE UNEMPLOYMENT INSURANCE LAW OF ANOTHER STATE THAT HAS BEEN APPROVED BY THE UNITED STATES SECRETARY OF LABOR UNDER 26 U.S.C. § 3304; OR

(II) IF THE BENEFIT YEAR EXPIRED DURING THE ELIGIBILITY PERIOD, THE INDIVIDUAL HAS NO WAGES OR HAS INSUFFICIENT WAGES TO ESTABLISH A NEW BENEFIT YEAR THAT WOULD INCLUDE THAT WEEK.

(2) AN INDIVIDUAL WHO OTHERWISE HAS RECEIVED ALL REGULAR BENEFITS SHALL BE CONSIDERED TO HAVE EXHAUSTED REGULAR BENEFITS UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION EVEN IF THE INDIVIDUAL LATER MAY BE DETERMINED TO BE ENTITLED TO ADDITIONAL REGULAR BENEFITS AS A RESULT OF A PENDING APPEAL ABOUT WAGES THAT WERE NOT CONSIDERED IN THE INITIAL MONETARY DETERMINATION OF THE INDIVIDUAL'S 1ST CLAIM FOR THAT BENEFIT YEAR.

(D) AMOUNT OF WAGES.

DURING THE BASE PERIOD FOR WHICH THE INDIVIDUAL HAS EXHAUSTED REGULAR BENEFITS, THE TOTAL WAGES FOR COVERED EMPLOYMENT SHALL EXCEED 150% OF THE WAGES FOR COVERED EMPLOYMENT DURING THE CALENDAR QUARTER OF THE BASE PERIOD IN WHICH THE INDIVIDUAL'S WAGES FOR COVERED EMPLOYMENT WERE THE HIGHEST.