

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SCOT A WICKER
Claimant

APPEAL NO: 13A-UI-10077-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 06/23/13
Claimant: Appellant (1)**

871 IAC 24.2(1)g – Retroactive Benefits

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's August 28, 2013 determination (reference 03) that denied his request for retroactive benefits for June 23 through August 3, 2013. The claimant participated in the hearing. Based on the evidence, the claimant's arguments, and the law, the administrative law judge concludes the claimant's request for retroactive benefits cannot be granted.

ISSUE:

Should the claimant's request for retroactive benefits for the weeks ending June 29 through August 3, 2013, be granted or denied?

FINDINGS OF FACT:

The claimant established an on-line claim for benefits during the week of June 23, 2013. The claimant received an instructional pamphlet that he did not thoroughly read. The claimant has not previously filed for unemployment insurance benefits and did not understand all the rules. Even though he looked for work, he did not submit weekly claims for the weeks ending June 29 through August 3 because he wanted to make sure his former employer did not contest his benefits.

During the week of August 4, the claimant reopened his claim after he learned his former employer had not contested his benefits. He then requested retroactive benefits.

REASONING AND CONCLUSIONS OF LAW:

A claimant must file a weekly claim not earlier than noon of the Saturday of the weekly reporting period and, unless reasonable cause can be shown for the delay, not later than close of business on the Friday following the weekly reporting period. 871 IAC 24.2(1). The claimant did not understand all the rules, but he also failed to thoroughly read the instructional pamphlet

that he received. Waiting over a month to contact the Department does not establish good cause for not filing timely weekly claims. Even though this is the first time the claimant filed for unemployment insurance benefits, his lack of understanding of the rules does not establish a reasonable excuse for failing to file his weekly claims on time. His request for retroactive benefits cannot be granted.

DECISION:

The representative's August 28, 2013 determination (reference 03) is affirmed. His request for retroactive benefits for the weeks ending June 29 through August 3, 2013, must be denied.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs