

IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

RAMONA R HUGHES
428 S SYCAMORE ST
MONTICELLO IA 52310

IOWA WORKFORCE DEVELOPMENT
DEPARTMENT

Appeal Number: 05A-UI-01954-CT
OC: 06/06/04 R: 03
Claimant: Appellant (1)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

871 IAC 24.2(1)g – Filing Claims

STATEMENT OF THE CASE:

Ramona Hughes filed an appeal from a representative's decision dated February 21, 2005, reference 04, which denied her request for retroactive benefits. After due notice was issued, a hearing was held by telephone on March 14, 2005. Ms. Hughes participated personally.

FINDINGS OF FACT:

Having heard the testimony of the witness and having reviewed all the evidence in the record, the administrative law judge finds: Ms. Hughes filed an original claim for job insurance benefits effective June 6, 2004 and an additional claim for benefits effective January 2, 2005. She was separated from her employment with Bertroche Law Firm in December of 2004. Ms. Hughes

has been provided written materials advising of the necessity of calling on the claim weekly, even while awaiting a decision allowing benefits.

On February 7, 2005, Workforce Development issued a decision holding that Ms. Hughes was separated from Bertroche Law Firm for no disqualifying reason. On February 17, she reported to her local office to reactivate her claim.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Ms. Hughes has presented sufficient justification to warrant allowing retroactive benefits. Her failure to call in weekly was not due to any misinformation on the part of Workforce Development. She had been provided written information as to how to protect her right to benefits for those weeks she was unemployed before receiving a decision allowing benefits. Ms. Hughes' failure to read and follow the instructions in the written materials does not constitute good cause for allowing retroactive benefits.

DECISION:

The representative's decision dated February 21, 2005, reference 04, is hereby affirmed. Ms. Hughes has not presented justification for allowing retroactive benefits for the period from January 2 through February 12, 2005. The request is denied.

cfc/sc