

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DEVERY C COOK
Claimant

APPEAL 17A-UI-05956-CL-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 03/26/17
Claimant: Appellant (1)

Iowa Code § 96.6(1) – Filing Claims
Iowa Admin. Code r. 871-24.2(1)g – Retroactive Benefits

STATEMENT OF THE CASE:

The claimant filed an appeal from the June 7, 2017, (reference 05) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was scheduled for June 26, 2017. Claimant participated.

ISSUE:

Should the claimant's request for retroactive benefits be granted for the five-week period ending May 20, 2017?

FINDINGS OF FACT:

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: Claimant filed a claim effective March 26, 2017, with a reopened claim on May 21, 2017. She did not file continued claims by online web application for the five-week period ending May 20, 2017. Claimant stopped filing weekly claims after receiving the April 24, 2017, (reference 02) unemployment insurance decision that denied benefits based upon a voluntary resignation. Claimant appealed the decision. She did not read the back of the unemployment insurance decision denying her benefits or the back of the appeal hearing notice that instruct claimants to continue filing weekly claims while an appeal is pending. The decision was reversed by an administrative law judge on May 19, 2017. Claimant then reopened her claim effective May 21, 2017. She has filed continued claims and has received regular weekly benefits since the week ending May 27, 2017.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant's request for retroactive benefits is denied.

Iowa Code § 96.6(1) provides:

96.6 Filing — determination — appeal.

1. *Filing.* Claims for benefits shall be made in accordance with such regulations as the department may prescribe.

In order to be eligible for weekly benefits, the claimant must file an online web application continued claim or show good cause for the failure to do so to support a request for retroactive benefits. Iowa Admin. Code r. 871-24.2(1)g.

Claimant's failure to read the back of the unemployment insurance decision or the back of the appeal hearing notice about continuing to file claims during the appeal process is not considered a good reason for having failed to file weekly VRU/online web application continued claims. Retroactive benefits are denied.

DECISION:

The June 7, 2017, (reference 05) unemployment insurance decision is affirmed. The claimant's request for retroactive benefits is denied.

Christine A. Louis
Administrative Law Judge
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Decision Dated and Mailed

cal/scn