

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**VICKY D STROM**  
Claimant

**APPEAL NO. 13A-UI-11097-S2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

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

871 IAC 24.2(1)g – Retroactive Weekly Claim

**STATEMENT OF THE CASE:**

Vicky Strom (claimant) appealed a representative's September 23, 2013, decision (reference 04) that denied the request for retroactive benefits for the period from June 23, 2013 through July 20, 2013. After due notice was issued, a hearing was held on October 23, 2013. Claimant participated personally. The claimant offered and Exhibit A was received into evidence.

**ISSUE:**

The issue is whether the claimant's request for retroactive unemployment insurance benefits should be denied.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant filed a claim for benefits with an effective date of June 23, 2013. She filed her claim on line but did not notice that she was supposed to file a weekly claim to receive her benefits. During the week ending July 27, 2013, the claimant investigated by looking at the agency's website and discovered she was supposed to file a weekly claim. The claimant filed her weekly claims for the weeks ending July 27 and August 3, 2013. The claimant is seeking retroactive benefits for the three-week period ending July 20, 2013.

**REASONING AND CONCLUSIONS OF LAW:**

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

871 IAC 24.35(1) provides:

- (1) Except as otherwise provided by statute or by division rule, any payment, appeal, application, request, notice, objection, petition, report or other information or document submitted to the division shall be considered received by and filed with the division:

a. If transmitted via the United States postal service, on the date it is mailed as shown by the postmark, or in the absence of a postmark the postage meter mark of the envelope in which it is received; or if not postmarked or postage meter marked or if the mark is illegible, on the date entered on the document as the date of completion.

b. If transmitted by any means other than the United States postal service on the date it is received by the division.

The claimant has not established sufficient grounds for having failed to file a weekly claim from June 23 to July 20, 2013. The claim for retroactive benefits is denied.

**DECISION:**

The representative's September 23, 2013, decision (reference 04) is affirmed. The claimant's request for retroactive benefits is denied.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

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