

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**EUSTAQUIO G ALFARO**  
Claimant

**APPEAL 17A-UI-00148-DGT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 12/04/16  
Claimant: Appellant (1)**

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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 January 3, 2017, (reference 01) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was held on January 27, 2017. Claimant participated with the assistance of a Spanish Interpreter.

**ISSUE:**

Should the claimant's request for retroactive benefits be granted?

**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 December 4, 2016. He did not file a continued claim by VRU/online web application for the Three week period ending December 24, 2016, and did not inquire about the claim status with Iowa Workforce Development (IWD) the week of December 25, 2016. His son was helping him with his claim, and claimant did not go and enquire with the department because he thought it might take a few weeks before he would receive benefits after filing. He has filed continued claims and has received regular weekly benefits since January 1, 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.

Iowa Admin. Code r. 871-24.2(1)g provides:

Procedures for workers desiring to file a claim for benefits for unemployment insurance.

(1) Section 96.6 of the employment security law of Iowa states that claims for benefits shall be made in accordance with such rules as the department prescribes. The department of workforce development accordingly prescribes:

g. No continued claim for benefits shall be allowed until the individual claiming benefits has completed a voice response continued claim or claimed benefits as otherwise directed by the department. The weekly voice response continued claim shall be transmitted 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.

Claimant's assumption and failure to inquire with IWD are not considered good cause reasons for having failed to file weekly VRU/online web application continued claims. Retroactive benefits are denied.

**DECISION:**

The January 3, 2017, (reference 01) unemployment insurance decision is affirmed. The claimant's request for retroactive benefits is denied.

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Duane L. Golden  
Administrative Law Judge

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Decision Dated and Mailed

dlg/rvs