

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**DUSTY A OKKEN**  
Claimant

**APPEAL 17A-UI-09003-SC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 02/12/17  
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:**

Dusty A Okken (claimant) filed an appeal from the August 29, 2017, reference 03, unemployment insurance decision that denied his request for retroactive benefits. After due notice was issued, a telephone conference hearing was held on September 22, 2017. The claimant participated.

**ISSUE:**

Should the claimant's request for retroactive benefits be granted for the three-week period ending August 26, 2017?

**FINDINGS OF FACT:**

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: The claimant filed an original claim effective February 12, 2017, with a reopened claim date of August 27, 2017. He did not file weekly continued claims for benefits for the three-week period ending August 26, 2017, and did not inquire about the issue of benefit non-payment with Iowa Workforce Development (IWD) until August 28, 2017. The claimant forgot to file his claim for benefits during the first two weeks because his mother-in-law was in the hospital with a medical emergency and he has an infant son. The third week he remembered to file his claim for benefits but did not realize his claim had become inactive.

**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:

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 a continued weekly 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. The claimant's failure to file his claims because he was busy with family issues is an issue of personal responsibility. His failure to file was not due to incorrect advice from IWD or issues with the IWD reporting system. The claimant has not shown good cause to support a request for retroactive benefits. Retroactive benefits are denied.

**DECISION:**

The August 29, 2017, reference 03, unemployment insurance decision is affirmed. The claimant's request for retroactive benefits is denied.

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Stephanie R. Callahan  
Administrative Law Judge

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Decision Dated and Mailed

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