

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DARLA COLLIER
Claimant

APPEAL NO: 12A-UI-14865-BT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 07/01/12
Claimant: Appellant (1)**

871 IAC 24.2(1)g - Retroactive Benefits

STATEMENT OF THE CASE:

Darla Collier (claimant) appealed an unemployment insurance decision dated December 14, 2012, reference 02, which denied her request for retroactive benefits. After a hearing notice was mailed to the party's last-known address of record, a telephone hearing was held on January 24, 2013. The claimant participated in the hearing. Based on the evidence, the arguments of the party, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

The issue in this case is whether the claimant's request for retroactive benefits should be granted.

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 July 1, 2012. She filed her claim online and had access to the pertinent information and/or instructions regarding how to file weekly claims for unemployment insurance. The claimant did not file a weekly claim for benefits for the week ending July 7, 2012 and did not receive benefits for that week. She waited until December 2012 to request retroactive benefits. The claimant said she did not understand the directions and did not realize she had not been paid for that week.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant's request for retroactive benefits should be granted.

871 IAC 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.

Whether the claimant filed her claim in-person or on-line, she was provided with the Facts About Unemployment Insurance Guide and advised she was responsible for reading and knowing the contents of this handbook. This handbook clearly advises parties how to file weekly claims and the claimant failed to do that during the first week of her unemployment. Furthermore, if the claimant had any questions about filing for weekly benefits, she could have contacted Iowa Workforce at the time and not six months after the fact.

The claimant has not established any reasonable cause for her delay in filing her weekly claims. Reasonable cause involves circumstances beyond the claimant's control that prevent a claimant from filing a prompt and proper claim. The claimant's request for retroactive benefits is denied.

DECISION:

The unemployment insurance decision dated December 14, 2012, reference 02, is affirmed. The claimant's request for retroactive benefits is denied.

Susan D. Ackerman
Administrative Law Judge

Decision Dated and Mailed

sda/css