

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JUSTIN J CHRYSTAL**  
Claimant

**APPEAL NO: 07A-UI-06491-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 01/07/07 R: 03  
Claimant: Appellant (4)**

871 IAC 24.2(1)(g) – Retroactive Benefits

**STATEMENT OF THE CASE:**

Justin J. Chrystal (claimant) appealed a representative's June 22, 2007 decision (reference 03) that denied his request for retroactive benefits for the weeks ending January 13 through 27, 2007. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on July 17, 2007. The claimant failed to participate in hearing. Based on the administrative record, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Is the claimant eligible to receive benefits for the weeks ending January 13 through 27, 2007?

**FINDINGS OF FACT:**

The claimant established a claim for unemployment insurance benefits during the week of January 7, 2007. On June 21, 2007, the claimant requested payment of benefits for the weeks ending January 13 through 27, 2007. The claimant asserted he had called in his weekly claims for these weeks. The phone records the claimant sent with his appeal show he called 1-800-850-5627 on January 20 and 29. On January 20, the claimant called the 800 number two times about 10 minutes apart.

**REASONING AND CONCLUSIONS OF LAW:**

When a claimant submits a claim by voice mail response, the claimant must call in on a weekly basis 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. 871 IAC 24.2(1). The administrative record indicates the claimant properly called in his claim for the weeks ending June 20 and 27, 2007. Even though the claimant did not follow-up on the receipt of benefits until June 21, the record indicates he filed timely claims for these weeks. The claimant's request for benefits for the weeks ending January 20 and 27 is granted. The record does not establish by a preponderance of the evidence that the claimant filed a timely claim for the week ending January 13, 2007.

**DECISION:**

The representative's June 22, 2007 decision (reference 03) is modified in the claimant's favor. The claimant's request for payment of benefits for the weeks ending January 20 and 27 is granted because he called in timely claims. The claimant's request for payment of benefits for the week ending January 13, 2007, is not granted.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/pjs