

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

RHONDA M WEMARK
Claimant

APPEAL 18A-UI-02957-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 01/21/18
Claimant: Appellant (2)

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 February 27, 2018, (reference 01) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was held on March 29, 2018. Claimant participated.

ISSUE:

Should the claimant's request for retroactive benefits be granted for the two-week period ending February 24, 2018?

FINDINGS OF FACT:

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: The claimant was attempting to file her weekly continued claim for the week ending February 17, when her account was locked after she entered the wrong PIN more than three times. She contacted IWD on February 20 to have her PIN reset and thereafter entered her weekly continued claim. When she tried to enter her weekly continuing claim for the week ending February 24 she learned that her claim was locked due to her failure to file a continuing weekly the claim the prior week. She contacted IWD to request retroactive benefits. The claimant earned no wages during the two weeks ending February 24, 2018.

REASONING AND CONCLUSIONS OF LAW:

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

Iowa Code section 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.

In order to be eligible for weekly benefits, the claimant must file an online web application continued 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.

Given the claimant was unable to proceed with filing her weekly-continued claim due to the PIN problem, the claimant's unsuccessful attempts to file continued claims online is considered a good reason for the delay in filing. Claimant was then unable to file weekly-continued claims online because the claim was locked due to inactivity. Although the Unemployment Insurance Handbook addresses reactivating a claim, it does not clearly state that a claim will close after only one week of failing to file a continued weekly claim. Retroactive benefits are granted for the two-week period ending February 24, 2018, provided claimant is otherwise eligible.

DECISION:

The February 27, 2018, (reference 01) unemployment insurance decision is reversed. The claimant's request for retroactive benefits is granted.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/rvs