

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

TERRI L BROWN
Claimant

APPEAL NO. 12A-UI-04347-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 01/22/12
Claimant: Appellant (1)**

841 IAC 24.2(1)g – Retroactive Benefits

STATEMENT OF THE CASE:

The claimant, Terri Brown, filed an appeal from a decision dated April 9, 2012, reference 02. The decision denied the request for retroactive unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on May 9, 2012. The claimant participated on her own behalf.

ISSUE:

The issue is whether the claimant's request for retroactive benefits may be granted.

FINDINGS OF FACT:

Terri Brown filed a claim for unemployment benefits with an effective date of January 22, 2012. Instructions were given at that time which notified the claimant to call in every week during the claim. For the period January 22, 2012 through March 24, 2012 the claimant did not call the voice response unit as instructed.

Ms. Brown maintained she knew about the requirement to call in weekly but due to certain personal stressors in her life she forgot to make the weekly call.

REASONING AND CONCLUSIONS OF LAW:

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.

The claimant acknowledged she knew she was to call but simply did not do so because she was stressed out due to various personal problems. These personal problems, while unfortunate, do not constitute good cause for granting retroactive benefits.

DECISION:

The representative's decision of April 9, 2012, reference 02, is affirmed. Terri Brown's request for retroactive benefits is denied.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/css