

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ELIZABETH M MCGUIRE**  
Claimant

**APPEAL NO. 13A-UI-12095-H2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 08/18/13**  
**Claimant: Appellant (1)**

Iowa Code § 96.3(4) – Determination of Benefits  
871 IAC 24.9(1)b – Dependents

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the October 22, 2013, (reference 03) unemployment insurance decision that denied the claimant's request to change her number of dependents. After due notice was issued a hearing was held on November 20, 2013. Claimant participated.

**ISSUE:**

Did the claimant file a timely request to change the number of dependents?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed her claim for benefits on August 18, 2013 and listed one dependent. The claimant's claim became valid and she did not file an appeal to change her number of dependents until October 18. She is legally only allowed to claim one dependent for tax purposes pursuant to her divorce decree. She did not make her request to increase the number of dependents until after her monetary record had become final.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant's request to add dependents to the claim is denied.

871 IAC 24.9(1)b provides: Determination of benefit rights.

24.9(1) Monetary determinations.

b. The monetary record shall constitute a final decision unless newly discovered facts which affect the validity of the original determination or a written request for reconsideration is filed by the individual within ten days of the date of the mailing of the monetary record specifying the grounds of objection to the monetary record.

The claimant is legally only entitled to claim one dependent pursuant to her divorce decree for tax purposes. She is not entitled to add additional dependents to her claim.

**DECISION:**

The October 22, 2013, (reference 03) decision is affirmed. The claimant's request to add dependents to the claim is denied.

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Teresa K. Hillary  
Administrative Law Judge

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Decision Dated and Mailed

tkh/pjs