

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**CORTLAND E BERRY**  
Claimant

**APPEAL 17A-UI-12525-SC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 11/12/17  
Claimant: Appellant (2)**

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Iowa Code § 96.6(1) – Filing Claims  
Iowa Admin. Code r. 871-24.2(1)g – Retroactive Benefits

**STATEMENT OF THE CASE:**

Cortland E. Berry (claimant) filed an appeal from the November 29, 2017, reference 01, unemployment insurance decision that denied his request for retroactive benefits. After due notice was issued, a telephone conference hearing began on December 27, 2017 and concluded on December 28, 2017. The claimant participated.

**ISSUE:**

Should the claimant's request for retroactive benefits be granted for the two-week period ending November 25, 2017?

**FINDINGS OF FACT:**

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: The claimant filed an original claim effective November 12, 2017. He filed his weekly continued claim for benefits online Sunday, November 19, 2017, but the system did not properly record his claim. The following week, Sunday, November 26, 2017, he tried to file his continued weekly claim for benefits and learned the previous week's claim had not gone through. The claimant contacted Iowa Workforce Development (IWD) on November 28, 2017 to resolve the issue. The claimant did not earn any wages for the two-week period ending November 25, 2017, he was able to and available for work, and actively and earnestly seeking work.

**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 § 96.6(1) provides:

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 a VRU or 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. Inability to file an electronic claim due to the system being inoperable is considered a good cause reason for the delay in filing the claim. Retroactive benefits are allowed.

**DECISION:**

The November 29, 2017, reference 01, unemployment insurance decision is reversed. The claimant's request for retroactive benefits is granted.

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Stephanie R. Callahan  
Administrative Law Judge

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Decision Dated and Mailed

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