

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MARY B CASSIDY**  
Claimant

**APPEAL NO. 08A-UI-07256-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 08/19/07 R: 02  
Claimant: Appellant (1)**

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

**STATEMENT OF THE CASE:**

Mary B. Cassidy (claimant) appealed a representative's August 5, 2008 decision (reference 03) that concluded she was not eligible to receive benefits for the week ending July 5, 2008, because she did not file a timely claim for this week. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on August 26, 2008. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, 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 week ending July 5, 2008?

**FINDINGS OF FACT:**

The claimant established a claim for benefits during the week of August 19, 2007. The claimant received information that she was required to file weekly claims when she wanted to submit a claim for benefits. In February 2008 the claimant inadvertently filed a claim for benefits during a week she worked.

The claimant did not file any weekly claims when she helped relatives in June with flood cleanup. She reopened her claim the week of July 6, 2008. After the claimant received information that she was overpaid for benefits she had received a week in February, she contacted her local Workforce representative on August 4, 2008. The local Workforce representative informed the claimant she still had money she could collect if she filed a claim for the week ending July 5, 2008. The claimant then filed a claim for the week ending July 5 on August 4, 2008.

**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 evidence indicates the claimant did not file a claim for the week ending July 5 until August 4, 2008. Based on the law, the claimant's request for retroactive benefits for the week ending July 5, 2008 is denied.

**DECISION:**

The representative's August 5, 2008 decision (reference 03) is affirmed. The claimant's request for retroactive benefits for the week ending July 5, 2008, is denied.

---

Debra L. Wise  
Administrative Law Judge

---

Decision Dated and Mailed

dlw/css