

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ASHOK K CHAUDHARY
Claimant

APPEAL NO. 15A-UCFE-00003-S2

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 07/06/14
Claimant: Appellant (1)

871 IAC 24.2(1)g – Retroactive Weekly Claim

STATEMENT OF THE CASE:

Ashok Chaudhary (claimant) appealed a representative's January 15, 2015, decision (reference 02) that denied the request for retroactive benefits for the period from July 6, 2014, through January 10, 2015. After due notice was issued, a hearing was held on March 30, 2015, in Cedar Rapids, Iowa. Claimant participated personally. The claimant offered and Exhibit A was received into evidence.

ISSUE:

The issue is whether the claimant's request for retroactive unemployment insurance benefits should be denied.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant filed a claim for benefits with an effective date of July 6, 2014. He was laid off from work on June 30, 2014. He found temporary employment from July 12 through November 21, 2014, and did not report weekly. He was laid off from his temporary employment on November 21, 2014, and reopened his claim for benefits on November 31, 2014. The claimant did not report weekly to the agency until the week ending, January 17, 2015, because he was busy looking for employment. He was not thinking about making his weekly report. The claimant requests retroactive benefits from November 30, 2014, through January 10, 2015.

REASONING AND CONCLUSIONS OF LAW:

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

Iowa Admin. Code r. 871-24.2(1)g provides:

Procedures for workers desiring to file a claim for benefits for unemployment insurance.

(1) § 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 has not established sufficient grounds for having failed to file a weekly claim from November 30, 2014, through January 10, 2015. The claim for retroactive benefits is denied.

DECISION:

The representative's January 15, 2015, decision (reference 02) is affirmed. The claimant's request for retroactive benefits is denied.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/pjs