

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

WILLIAM C CLARK
Claimant

APPEAL NO. 06A-UI-10036-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 08/27/06 R: 03
Claimant: Appellant (1)

871 IAC 24.2(1)g – Retroactive Benefits

STATEMENT OF THE CASE:

The claimant, William Clark, filed an appeal from a decision dated October 4, 2006, reference 02. The decision denied his request for retroactive unemployment benefits. After due notice was issued a hearing was held by telephone conference call on October 30, 2006. The claimant participated on his own behalf.

ISSUE:

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

FINDINGS OF FACT:

William Clark filed a claim for unemployment benefits with an effective date of August 27, 2006. He filed on-line on Wednesday, August 29, 2006. He did not read the instructions to call in his weekly claim. He did not inquire of his local Workforce Center on what he needed to do, but merely asked about when he could expect to begin receiving benefits.

At no time did he ask for further instructions about calling in his weekly claim and at the hearing stated he felt it was the responsibility of the representatives at his local office to discover he had not been calling in and to instruct him how to do it.

REASONING AND CONCLUSIONS OF LAW:

871 IAC 24.2(1)g provides:

(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.

An individual claiming benefits using the weekly voice continued claim system shall personally answer and record such claim on the system unless the individual is disabled and has received prior approval from the department.

Not reading the instructions is not considered a good cause reason for having failed to file a weekly claim from August 27 to September 23, 2006. It is the responsibility of the claimant to read the instructions and request further information from the local office if he does not understand them. The claim for retroactive benefits is denied.

DECISION:

The representative's decision of October 4, 2006, reference 02, is affirmed. The claimant's request for retroactive benefits is denied.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/pjs