

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**TREVOR CALAHAN**  
Claimant

**APPEAL 18A-UI-03769-LJ-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 02/25/18  
Claimant: Appellant (1)**

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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:**

The claimant filed an appeal from the March 20, 2018, (reference 03) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was scheduled for April 19, 2018. Claimant Trevor Calahan participated. The administrative law judge took official notice of the administrative record.

**ISSUE:**

Should the claimant's request for retroactive benefits be granted for the two-week period ending March 17, 2018?

**FINDINGS OF FACT:**

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: Claimant filed an original claim effective February 25, 2018, with a reopened claim on March 18, 2018. He did not file continued claims by online web application for the two-week period ending March 17, 2018. Claimant explained that he did not realize he needed to file weekly claims for benefits prior to his fact-finding interview occurring. He did not read the paper or online version of the Unemployment Insurance Benefits Handbook that instruct claimants to file weekly claims while a fact-finding interview is pending. He has filed continued claims and has received regular weekly benefits since the week ending March 24, 2018.

**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 Code section 96.6(1) provides:

**96.6 Filing — determination — appeal.**

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 an 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.

The September 2017, version of the *Unemployment Insurance Benefits Handbook*, provides in pertinent part at pages 13 and 14:

**Claim Effective Date**

The effective date of all UI claims, regardless of filing method, will be the Sunday of the week in which the application was filed. The effective date of a claim will not be changed for applications that were not filed in a timely manner.

and

**Reactivating a Claim**

An individual can start and stop claiming weekly benefits as many times as necessary during the benefit year. This is called a break in reporting status. Any break in reporting requires the individual to file another initial claim application during the week he/she wants to start collecting benefits again. Any employment during the break must be reported.

The September 2017, version of the *Unemployment Insurance Benefits Handbook*, provides in pertinent part at pages 19 and 20:

**Filing Weekly Claims**

**How to File**

After you file your initial claim, file weekly claims online at [iowaworkforcedevelopment.gov](http://iowaworkforcedevelopment.gov) for every week you are unemployed or your hours are reduced. You must file a weekly claim for any week that you want payment even if your eligibility is being decided or you have an appeal pending.

To request UI benefit payments during weeks of unemployment, individuals must certify they:

- Are currently unemployed or working reduced hours
- Are able to work and available for work
- Have not refused any job offers or referrals to a job
- Are actively looking for work (unless waived)
- Are reporting any pay or pension payment

| Sunday                       | Monday              | Tuesday             | Wednesday           | Thursday            | Friday                          | Saturday                           |
|------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------------------|------------------------------------|
| Start of UI claim week one   |                     |                     |                     |                     |                                 | Last day of week one (no filing)   |
| First day to file week one   | File for week one   | File for week one   | File for week one   | File for week one   | Last day to file for week one   | Last day of week two (no filing)   |
| First day to file week two   | File for week two   | File for week two   | File for week two   | File for week two   | Last day to file for week two   | Last day of week three (no filing) |
| First day to file week three | File for week three | File for week three | File for week three | File for week three | Last day to file for week three | Last day of week four (no filing)  |

**When to File**

The current week is the week that just ended on Saturday. Weekly claims must be filed 8 am Sunday through 5:30 pm Friday for the prior week only. This means individuals have six days to file the previous week's claim. See the chart above

for the days available to file. Weekly claims can be filed online using a mobile device or computer at <https://uiclaims.iwd.iowa.gov/weeklyclaims/>.

Delay in filing your weekly claim could result in denial of benefits.

**IMPORTANT:** You will receive confirmation that the claim has been processed successfully. If you don't receive confirmation, the process must be repeated until the claim has been successfully submitted.

Elsewhere in the September 2017, version of the handbook at page 8, contact information includes days and hours for filing a claim and weekly claim reporting:

**File a Claim**

Hours: Sunday through Friday, 8:00 am to 4:30 pm  
[www.iowaworkforcedevelopment.gov](http://www.iowaworkforcedevelopment.gov)  
<https://uiclaims.iwd.iowa.gov/UIInitialClaim/>

**Weekly Claim Reporting**

Hours: Sunday 8:00 am – 11:30 pm and Monday through Friday 8:00 am through 5:30 pm  
<https://uiclaims.iwd.iowa.gov/weeklyclaims/>

In this case, claimant did not understand the unemployment insurance claims process and did not take reasonable steps to educate himself. Claimant's failure to read and follow the instructions in the Unemployment Insurance Benefits Handbook about continuing to file claims while eligibility is being decided and a fact-finding interview is pending is not considered a good reason for having failed to file weekly online web application continued claims. Retroactive benefits are denied.

Claimant is urged to review information in the Unemployment Insurance Benefits Handbook at: [https://www.iowaworkforcedevelopment.gov/sites/search.iowaworkforcedevelopment.gov/files/documents/ClaimantHandbook\\_2017-18.pdf](https://www.iowaworkforcedevelopment.gov/sites/search.iowaworkforcedevelopment.gov/files/documents/ClaimantHandbook_2017-18.pdf)

**DECISION:**

The March 20, 2018, (reference 03) unemployment insurance decision is affirmed. The claimant's request for retroactive benefits is denied.

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Elizabeth A. Johnson  
Administrative Law Judge

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Decision Dated and Mailed

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