

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**TONY L WILSON**  
Claimant

**APPEAL 18A-UI-06499-SC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 05/20/18**  
**Claimant: Appellant (1)**

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

**STATEMENT OF THE CASE:**

Tony L. Wilson (claimant) filed an appeal from the June 11, 2018, reference 01, unemployment insurance decision that denied his request for retroactive benefits. After due notice was issued, a telephone conference hearing was held on June 29, 2018. The claimant participated.

**ISSUE:**

Should the claimant's request for retroactive benefits be granted for the one-week period ending May 26, 2018?

**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 May 20, 2018. He did not file weekly continued claims for benefits for the one-week period ending May 26, 2018, and did not inquire about the issue of benefit non-payment with Iowa Workforce Development (IWD) until June 7, 2018. He did not thoroughly read the Unemployment Insurance Benefits Handbook or the claim confirmation explaining he needed to file a weekly continued claim in order to receive benefits.

**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 § 96.6(1) provides:

1. Filing. Claims for benefits shall be made in accordance with such regulations as the department may prescribe.

Iowa Admin. Code r. 871-24.2(1)g provides<sup>1</sup>:

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

(1) Section 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 continued claim or claimed benefits as otherwise directed by the department.

(1) The weekly continued claim shall be transmitted not earlier than 8 a.m. on the Sunday following 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.

(2) An individual claiming benefits using the weekly 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.

(3) The individual shall set forth the following:

1. That the individual continues the claim for benefits;
2. That except as otherwise indicated, during the period covered by the claim, the individual was fully or partially unemployed, earned no gross wages and received no benefits, was able to work and available for work;
3. That the individual indicates the number of employers contacted for work;
4. That the individual knows the law provides penalties for false statements in connection with the claim;
5. That the individual has reported any job offer received during the period covered by the claim;
6. Other information required by the department

The claimant's failure to read and follow the instructions in the Unemployment Insurance Benefits Handbook or the claim confirmation notice is not considered a good reason for having failed to file a weekly continued claim. Retroactive benefits are denied.

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<sup>1</sup> This code section has been amended effective June 27, 2018 to remove the good cause allowance for failure to file a claim. The decision made on the claimant's request for retroactive benefits was made prior to the amendments going into effect. Therefore, the law in effect at the time the unemployment insurance decision was made will be used.

**DECISION:**

The June 11, 2018, reference 01, unemployment insurance decision is affirmed. The claimant's request for retroactive benefits is denied.

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Stephanie R. Callahan  
Administrative Law Judge

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Decision Dated and Mailed

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