

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**DAVE J SWICK**  
Claimant

**APPEAL 15A-UI-10415-DL-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 06/07/15  
Claimant: Appellant (2)**

Iowa Code § 96.6(1) – Filing Claims  
Iowa Admin. Code r. 871-24.2(1)a & h(1) & (2) – Backdating

**STATEMENT OF THE CASE:**

Claimant filed a timely appeal from the September 9, 2015, (reference 05) unemployment insurance decision that denied the request to backdate the claim for benefits prior to September 6, 2015. After due notice was issued, a hearing was scheduled to be held by telephone conference call on September 30, 2015. No hearing was held as there was sufficient evidence in the appeal letter and administrative record to resolve the matter without testimony.

**ISSUE:**

Should the claim be backdated prior to September 6, 2015?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant filed a claim for benefits with an effective date of June 7, 2015, and an additional claim effective September 6, 2015, and has presented good cause to backdate the claim to August 16, 2015, because the Unemployment Insurance Benefits Handbook is insufficiently clear about the time period in which a claimant may file a continued claim. His attempts to resolve the issue with Workforce Advisors were also unsuccessful.

**REASONING AND CONCLUSIONS OF LAW:**

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

Iowa Code § 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 a VRU or online web application continued claim or show good cause for the failure to do so to support a request for retroactive benefits. Claimant's confusion about the time frame and his unsuccessful attempts to resolve the issue by contacting Workforce Advisors is considered a good reason for the delay in filing VRU/online web application continued claims.

**DECISION:**

The September 9, 2015, (reference 05) unemployment insurance decision is reversed. The claimant's request for retroactive benefits is granted for the three weeks ending September 5, 2015.

---

Dévon M. Lewis  
Administrative Law Judge

---

Decision Dated and Mailed

dml/css