

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DALE P MINICK
Claimant

APPEAL NO. 09A-UI-15344-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**Original Claim: 06/28/09
Claimant: Appellant (2)**

871 IAC 24.2(1) g – Retroactive Benefits

STATEMENT OF THE CASE:

Dale P. Minick (claimant) appealed a representative's October 5, 2009 decision (reference 01) that denied his request for retroactive benefits for the week ending July 4, 2009. A hearing was held on October 26, 2009. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Should the claimant's request for retroactive benefits for the weeks ending July 4, 2009, be granted?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of June 28, 2009. The claimant was on a week's furlough June 28 through July 4. The week of July 5, he went to his local Workforce office and filed online his claim for the week ending July 4. A representative helped the claimant file this weekly claim.

REASONING AND CONCLUSIONS OF LAW:

When a claimant submits a claim by voice mail response, the claimant must call in on a weekly basis 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. 871 IAC 24.2(1). Claimants are now allowed to file weekly claims online. Since the claimant could have called in his claim by Friday, July 10, and would be paid for benefits for the week ending July 4, the claimant's request for benefits that he filed online during the week of July 5 was done timely. The claimant is granted benefits for the week ending July 4, 2009.

DECISION:

The claimant's request for retroactive benefits for the week ending July 4, 2009, is granted because he filed a timely weekly claim with the assistance of a Workforce representative on or before Friday, July 10, 2009.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/kjw