

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MARGARET M DENNEY**  
Claimant

**APPEAL NO. 16A-UI-12478-S1-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 12/20/15  
Claimant: Appellant (1)**

871 IAC 24.2(1)g – Retroactive Weekly Claim

**STATEMENT OF THE CASE:**

Margaret Denney (claimant) appealed a representative's October 20, 2016, decision (reference 04) that denied the request for retroactive benefits for the period from September 25, 2016, through October 15, 2016. After due notice was issued, a hearing was held on December 2, 2016. The claimant participated personally.

**ISSUE:**

The issue is whether the claimant's request for retroactive unemployment insurance benefits should be denied.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant filed a claim for benefits with an effective date of December 20, 2015. She did not report weekly to the agency from September 25, 2016, through October 15, 2016. The claimant understood she could not receive unemployment insurance benefits as long as she had an overpayment of unemployment insurance benefits. She incorrectly assumed she could not file for unemployment insurance benefits while she had an overpayment. Even so, she attempted to file for benefits during the week ending October 1, 2016, by telephone even though she was notified that all claims had to be made through the internet. The claim did not go through. She did not seek help from the agency. The claimant requests retroactive benefits from September 25, 2016, through October 15, 2016.

**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 Admin. Code r. 871-24.2(1)g provides:

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 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.

The claimant has not established sufficient grounds for having failed to file a weekly claim from September 25, 2016, through October 15, 2016. The claim for retroactive benefits is denied.

**DECISION:**

The representative's October 20, 2016, decision (reference 04) is affirmed. The claimant's request for retroactive benefits is denied.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

bas/rvs