

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**WILLIAM B EKLUND**  
Claimant

**APPEAL 17A-UI-12383-DB**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 08/27/17**  
**Claimant: Appellant (2)**

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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/appellant filed an appeal from the November 28, 2017 (reference 02) unemployment insurance decision that denied his request for retroactive benefits for the period of November 12, 2017 through November 25, 2017. The claimant was properly notified of the hearing. An in person hearing was held in Des Moines, Iowa on December 27, 2017. The claimant, William B. Eklund, participated personally. Claimant was represented by attorney Lisa M. Noble. Claimant's Exhibit A was admitted. The administrative law judge took administrative notice of the claimant's unemployment insurance records.

**ISSUE:**

Should the claimant's request for retroactive benefits be granted for the two-week period from November 12, 2017 through November 25, 2017?

**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 August 27, 2017 and an additional claim effective October 22, 2017. Claimant has reviewed the Unemployment Insurance Benefits Handbook for Claimants. He did file a weekly claim online for the week ending November 18, 2017. See Exhibit A. Claimant received a confirmation message that his weekly claim was successfully submitted. See Exhibit A. However, there was a computer error and his weekly claim for the week ending November 18, 2017 was not successfully submitted. When claimant attempted to file his weekly claim online for the week ending November 25, 2017, his claim was locked due to inactivity. Claimant immediately contacted his local Iowa Workforce Development office to unlock his claim.

Claimant did not earn any wages, holiday pay, vacation pay, or pension pay during the two-week period of November 12, 2017 through November 25, 2017. Claimant made appropriate work searches and was able to and available for work during the period in question.

## 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 section 96.6(1) provides:

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

#### **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/>

Given the claim confirmation message, claimant's belief that his weekly continued claim for November 18, 2017 was successfully submitted was reasonable and is considered a good reason for the delay in filing the weekly online web application continued claim for that week. Claimant's unsuccessful attempt to file his weekly claim online claim given the locked claim message when he attempted to file for the week ending November 25, 2017 is considered a good cause reason for the delay in filing his weekly online web application continued claim for the week ending November 25, 2017. Retroactive benefits are allowed for both weeks.

**DECISION:**

The November 28, 2017 (reference 02) unemployment insurance decision is reversed. The claimant's request for retroactive benefits for November 12, 2017 through November 25, 2017 is granted.

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Dawn Boucher  
Administrative Law Judge

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Decision Dated and Mailed

db/rvs