

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

PAMELA S NEBEL
Claimant

APPEAL 16A-UI-08657-JCT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 06/26/16
Claimant: Appellant (1)**

871 IAC 24.2(1)g – Retroactive Benefits
Iowa Code § 96.6(1) – Filing Claims

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated August 1, 2016 reference 03, that denied the claimant's request for retroactive benefits. A telephone hearing was held on August 26, 2016. The claimant participated in the hearing. Claimant exhibit A was received into evidence. The administrative law judge took official notice of the administrative records including the fact-finding documents. Based on the evidence, the arguments presented, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Is the claimant entitled to retroactive benefits?

FINDINGS OF FACT:

The claimant filed a new claim for unemployment insurance benefits during the week of June 26, 2016. The claimant went to the local Council Bluffs, Iowa IWD office for assistance in opening her claim. She did not file a continued claim by voice response unit (VRU)/online web application for the three-week period ending July 23, 2016, and did not inquire about the claim status with Iowa Workforce Development (IWD) until after three weeks of receiving no benefits. The claimant attributed the failure to make her weekly continued claims due to a lack of experience in filing for unemployment insurance benefits (Claimant exhibit A).

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant is eligible for unemployment insurance benefits for the three weeks ending July 23, 2016.

The unemployment insurance rules provide: “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.” 871 IAC 24.2(1)g.

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. The claimant did not file a weekly claim for a period of three weeks because she was unfamiliar with the unemployment process. The administrative law judge is sympathetic to the claimant being new to filing for unemployment insurance benefits but based on the evidence presented, the claimant has not established reasonable cause for her delay in filing her weekly claims. Reasonable cause involves circumstances beyond the claimant's control that prevent a claimant from filing a prompt and proper claim. The claimant's request for retroactive benefits is denied.

DECISION:

The unemployment insurance decision dated August 1, 2016 (reference 03), is affirmed. The claimant is ineligible to receive retroactive benefits for the three weeks ending July 23, 2016.

Jennifer L. Beckman
Administrative Law Judge

Decision Dated and Mailed

jlb/pjs