

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SETH W GREIF
Claimant

APPEAL NO. 09A-UI-16961-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**Original Claim: 04/20/08
Claimant: Appellant (1)**

871 IAC 24.2 (1) g – Retroactive Benefits

STATEMENT OF THE CASE:

The claimant appealed a representative's October 30, 2009 decision (reference 07) that denied his request for retroactive benefits for October 19, 2008, through April 18, 2009. A telephone hearing was held on December 9, 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 October 19, 2008, through April 18, 2009, be granted?

FINDINGS OF FACT:

The claimant established a claim for unemployment insurance benefits during the week of April 20, 2008. The claimant called in weekly claims for the weeks ending April 26 through October 18, 2008. As of October 18, 2009, the claimant exhausted his regular unemployment insurance benefits.

The claimant did know he was eligible to receive Emergency Unemployment Compensation benefits while he worked part-time and/or attended school. The claimant did not file any weekly claims for the weeks ending October 25, 2008, through April 18, 2009. The claimant did not establish or try to establish a new benefit year during the week of April 19, 2009. The claimant did not know anything about the Emergency Unemployment Compensation benefit program until he requested general assistance in October 2009. The claimant then requested retroactive benefit for the weeks ending October 25, 2008, through April 18, 2009.

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). The evidence indicates the claimant did

not make a request for benefits for the weeks ending October 25, 2008 through April 18, 2009, until October 2009. Even though the claimant may not have been aware he was potentially eligible to receive Emergency Unemployment Compensation benefits as of October 19, 2009, he did not contact his local Workforce office after his regular benefits expired or even when his first benefit year ended. The evidence does not establish reasonable cause for the claimant's delay in requesting benefits for the weeks ending October 25, 2008, through April 18, 2009. Therefore, his request for retroactive benefits is denied.

DECISION:

The representative's October 30, 2009 decision (reference 07) is affirmed. The claimant's request for retroactive benefits for the weeks ending October 25, 2008, through April 18, 2009, is denied.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/kjw