

FINDINGS OF FACT:

The claimant became unemployed on August 5, when she quit. The claimant did not immediately file a claim for benefits because she concluded she would not be eligible to receive benefits. Later, a friend suggested she file a claim for benefits because of the circumstances that led the claimant to quit her employment.. The claimant established a claim for unemployment insurance benefits during the week of September 11, 2005. The claimant requested that her claim be backdated to July 31, 2005.

REASONING AND CONCLUSIONS OF LAW:

A claim for benefits is effective as of Sunday in the current calendar week in which a person files or establishes a claim for benefits. Claims can be backdated prior to the week in which the individual files if there are sufficient grounds to justify or excuse the delay in filing a claim. Sufficient grounds includes receiving incorrect information from a Workforce representative or if an employer intimidates a person to prevent the prompt filing of a claim. 871 IAC 24.2(1)(h).

The claimant did not establish a justifiable reason to backdate her claim. The claimant assumed she could not file a claim for benefits if she quit. The claimant did not contact anyone at her local Workforce office. Only after a friend indicated the claimant might be eligible to receive benefits, the claimant then established a claim for benefits. (Whether the claimant is qualified to receive benefits because she voluntarily quit her employment is not the issue at this hearing.) The effective date of the claimant's claim is September 11, 2005.

DECISION:

The representative's September 22, 2005 decision (reference 02) is affirmed. The claimant's request to backdate her claim is denied. The effective date of her claim is September 11, 2005.

dlw/s