

**IN THE IOWA ADMINISTRATIVE HEARINGS DIVISION
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

KRISTINE A HOBSON
Claimant

APPEAL 25A-UI-02101-PT-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 03/09/25
Claimant: Appellant (1)**

Iowa Code § 96.6(1) – Filing Claims
Iowa Admin. Code r. 871-24.2(1)g – Backdating
Iowa Admin. Code r. 871-24.3 – Able & Available – Identity Verification

STATEMENT OF THE CASE:

The claimant, Kristine Hobson, filed an appeal from the monetary determination that was mailed on March 11, 2025. After due notice was issued, a telephone hearing was held on April 3, 2025. The claimant participated personally. The administrative law judge took official notice of the administrative record.

ISSUES:

Whether the claimant's monetary determination is correct?
Whether the claimant can backdate her claim?
Whether the claimant's appeal was timely?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant filed a claim for unemployment insurance benefits with an effective date of March 9, 2025.

Iowa Workforce Development's (IWD) identity verification process requires all individuals to first verify their identity through ID.me before allowing individuals to file a claim for unemployment insurance benefits. The claimant first attempted to file a claim for benefits on Thursday, March 6, 2025, when she went to her local IowaWORKS center to receive assistance filing her claim. That day, the claimant filled out her application for benefits. However, due to a technological glitch, the claimant was unable to upload her identity verification documents to ID.me.

The next day, Friday, March 7, 2025, IWD contacted the claimant and informed her that her identity verification documents had not been uploaded and that she would need to resubmit the documents to file her claim. IWD also informed the claimant that she could go online and work directly with an ID.me "video chat agent" to verify her identity. The claimant was busy Friday afternoon and uncomfortable trying to verify her identity online by herself, so the claimant decided to wait and provide the documentation to her local office the next week.

On Monday, March 10, 2025, the claimant returned to her local IowaWORKS office and provided her identity verification documentation. The claimant's identity was verified and her claim was submitted that same day. On March 11, 2025, IWD mailed the claimant a monetary determination with an effective date of March 9, 2025. On March 14, 2025, the claimant filed an appeal of the monetary record. The claimant agrees with the wages reflected on the monetary determination as well as her weekly benefit amount. However, the claimant disagrees with the effective date of her claim. The claimant does not have an interstate unemployment insurance claim against another state.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant's unemployment insurance claim cannot be backdated.

Iowa Code section 96.6(1) provides:

1. Filing. Claims for benefits shall be made in accordance with such regulations as the department may prescribe.

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

g. Effective starting date for the benefit year

- (1) Filing for benefits is effective as of Sunday of the current calendar week in which, subsequent to the individual's separation from work, an individual files a claim for benefits.
- (2) The claim may only be backdated prior to the first day of the calendar week in which the claimant does report and file a claim if the claimant filed an interstate claim against another state that has been determined as ineligible.
- (3) When the benefit year expires on any day but Saturday, the effective date of the new claim is the Sunday of the current week in which the claim is filed even though it may overlap into the old benefit year up to six days. However, backdating is not allowed at the change of a calendar quarter if the backdating would cause an overlap of the same quarter in two base periods. When the overlap situation occurs, the effective date of the new claim may be postdated up to six days. If the claimant has benefits remaining on the old claim, the claimant may be eligible for benefits for that period by extending the old benefit year up to six days.

Iowa Admin. Code r. 871-24.3 provides:

Social security number needed for filing. A claim will not become valid until the identity of the claimant has been verified by the department.

- (1) If the agency is unable to verify the claimant's identity in the claim application, the department will notify the claimant, who must provide approved documents, one of which must contain a social security number. The department will determine the approved documents required to verify identity. The list of approved documents can be found at the nearest local workforce center or online.

(2) The claimant's identity will not be considered verified until approved documents have been provided. The claim will remain locked, and the claimant will remain ineligible for benefits, until the claimant provides approved documents.

(3) Approved documents must be provided or postmarked by the due date provided on the notification. Once the approved documents are verified, the claim will be unlocked for all weeks following the most recent effective date of the claim application.

(4) If a claimant provides approved documents after the due date, the claimant will be eligible, provided there are no other outstanding issues with the claim, as of the Sunday of the week the claimant's identity was verified.

Iowa Workforce Development's current process for identity verification does not strictly follow administrative rule 871-24.3, as individuals are not allowed to file an initial claim until their identity is verified. Nonetheless, the rule provides that a claim will not become valid until the identity of the claimant has been verified and that if required documents are provided, the claimant shall be eligible as of the Sunday of the week the claimant's identity was verified.

In this case, while the claimant initially attempted to provide the required verification documentation to ID.me on Thursday, March 6, 2025, due to a technical glitch at her local IowaWORKS center, she was unable to submit the documents. IWD informed the claimant of the error and of alternative ways the claimant could try to verify her identity. However, the claimant chose not to pursue those options. Rather, the claimant waited and returned to her local office on Monday, March 10, 2025, at which time she submitted her verification documentation and ID.me verified the claimant's identity. As the claimant's identity was not verified until March 10, 2025, the effective date of the claimant's initial claim cannot be backdated.

DECISION:

The March 11, 2025, monetary record is affirmed. The claimant's claim cannot be backdated because she did not provide the verification documents to ID.me.



Patrick B. Thomas
Administrative Law Judge

April 7, 2025
Decision Dated and Mailed

pbt/scn

APPEAL RIGHTS. If you disagree with the decision, you or any interested party may:

1. Appeal to the Employment Appeal Board within fifteen (15) days of the date under the judge's signature by submitting a written appeal via mail, fax, or online to:

**Iowa Employment Appeal Board
6200 Park Avenue Suite 100
Des Moines, Iowa 50321
Fax: (515)281-7191
Online: eab.iowa.gov**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

AN APPEAL TO THE BOARD SHALL STATE CLEARLY:

- 1) The name, address, and social security number of the claimant.
- 2) A reference to the decision from which the appeal is taken.
- 3) That an appeal from such decision is being made and such appeal is signed.
- 4) The grounds upon which such appeal is based.

An Employment Appeal Board decision is final agency action. If a party disagrees with the Employment Appeal Board decision, they may then file a petition for judicial review in district court.

2. If no one files an appeal of the judge's decision with the Employment Appeal Board within fifteen (15) days, the decision becomes final agency action, and you have the option to file a petition for judicial review in District Court within thirty (30) days after the decision becomes final. Additional information on how to file a petition can be found at Iowa Code §17A.19, which is online at <https://www.legis.iowa.gov/docs/code/17A.19.pdf> or by contacting the District Court Clerk of Court <https://www.iowacourts.gov/iowa-courts/court-directory/>.

Note to Parties: YOU MAY REPRESENT yourself in the appeal or obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds.

Note to Claimant: It is important that you file your weekly claim as directed, while this appeal is pending, to protect your continuing right to benefits.

SERVICE INFORMATION:

A true and correct copy of this decision was mailed to each of the parties listed.

DERECHOS DE APELACIÓN. Si no está de acuerdo con la decisión, usted o cualquier parte interesada puede:

1. Apelar a la Junta de Apelaciones de Empleo dentro de los quince (15) días de la fecha bajo la firma del juez presentando una apelación por escrito por correo, fax o en línea a:

**Iowa Employment Appeal Board
6200 Park Avenue Suite 100
Des Moines, Iowa 50321
Fax: (515)281-7191
En línea: eab.iowa.gov**

El período de apelación se extenderá hasta el siguiente día hábil si el último día para apelar cae en fin de semana o día feriado legal.

UNA APELACIÓN A LA JUNTA DEBE ESTABLECER CLARAMENTE:

- 1) El nombre, dirección y número de seguro social del reclamante.
- 2) Una referencia a la decisión de la que se toma la apelación.
- 3) Que se interponga recurso de apelación contra tal decisión y se firme dicho recurso.
- 4) Los fundamentos en que se funda dicho recurso.

Una decisión de la Junta de Apelaciones de Empleo es una acción final de la agencia. Si una de las partes no está de acuerdo con la decisión de la Junta de Apelación de Empleo, puede presentar una petición de revisión judicial en el tribunal de distrito.

2. Si nadie presenta una apelación de la decisión del juez ante la Junta de Apelaciones Laborales dentro de los quince (15) días, la decisión se convierte en acción final de la agencia y usted tiene la opción de presentar una petición de revisión judicial en el Tribunal de Distrito dentro de los treinta (30) días después de que la decisión adquiriera firmeza. Puede encontrar información adicional sobre cómo presentar una petición en el Código de Iowa §17A.19, que se encuentra en línea en <https://www.legis.iowa.gov/docs/code/17A.19.pdf> o comunicándose con el Tribunal de Distrito Secretario del tribunal <https://www.iowacourts.gov/iowa-courts/court-directory/>.

Nota para las partes: USTED PUEDE REPRESENTARSE en la apelación u obtener un abogado u otra parte interesada para que lo haga, siempre que no haya gastos para Workforce Development. Si desea ser representado por un abogado, puede obtener los servicios de un abogado privado o uno cuyos servicios se paguen con fondos públicos.

Nota para el reclamante: es importante que presente su reclamo semanal según las instrucciones, mientras esta apelación está pendiente, para proteger su derecho continuo a los beneficios.

SERVICIO DE INFORMACIÓN:

Se envió por correo una copia fiel y correcta de esta decisión a cada una de las partes enumeradas.