

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DAN C HAUGLAND
Claimant

APPEAL 17A-UI-01251-DB-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 12/25/16
Claimant: Appellant (1)**

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 January 30, 2017 (reference 01) unemployment insurance decision that denied his request for retroactive benefits for the one-week period from December 25, 2016 to December 31, 2016. The claimant was properly notified of the hearing. A telephone hearing was held on February 23, 2017. The claimant, Dan C. Haugland, participated personally. The administrative law judge took administrative notice of the claimant's unemployment insurance record.

ISSUE:

Should the claimant's request for retroactive benefits be granted for the one-week period ending December 31, 2016?

FINDINGS OF FACT:

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: Claimant filed a claim effective December 25, 2016. He did not file a weekly claim online for the one-week period ending December 31, 2016, and did not inquire about the issue of benefit non-payment with Iowa Workforce Development (IWD) until the end of January of 2017. He did not read the paper or online version of the Unemployment Insurance Benefits Handbook that instruct claimants to file weekly claims.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant's request for retroactive benefits is denied.

Iowa Code § 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:

Procedures for workers desiring to file a claim for benefits for unemployment insurance.

(1) § 96.6 of the employment security law of Iowa states that claims for benefits shall be made in accordance with such rules as the department prescribes. The department of workforce development accordingly prescribes:

g. 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.

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.

Claimant's failure to read and follow the instructions in the Unemployment Insurance Benefits Handbook or call customer service for assistance is not considered a good reason for having failed to file the weekly online weekly claim. Retroactive benefits are denied.

DECISION:

The January 30, 2017 (reference 01) unemployment insurance decision is affirmed. The claimant's request for retroactive benefits is denied.

Dawn Boucher
Administrative Law Judge

Decision Dated and Mailed

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