

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JAMISON M KELLY
Claimant

APPEAL NO. 11A-UI-10332-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 05/15/11
Claimant: Appellant (2)

871 IAC 24.2(1)g – Retroactive Benefits

STATEMENT OF THE CASE:

Jamison M. Kelly filed a timely appeal from an unemployment insurance decision dated July 27, 2011, reference 03, that denied his request for retroactive benefits for the four weeks ending July 2, 2011. After due notice was issued, a telephone hearing was held August 26, 2011 with Mr. Kelly participating.

ISSUE:

Has the claimant provided sufficient justification for retroactive benefits for the four weeks ending July 2, 2011?

FINDINGS OF FACT:

Jamison M. Kelly filed a claim for unemployment insurance benefits during the week of May 15, 2011. He filed weekly claims through the week ending July 2, 2011 and then returned to work. There is no record of his weekly calls for the four weeks ending July 2, 2011.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the claimant has provided sufficient evidence to justify retroactive benefits. He has. He testified under oath, under penalty of perjury, that he had made calls for each of the four weeks ending July 2, 2011. The administrative law judge accepts this testimony as sufficient to justify retroactive benefits.

DECISION:

The unemployment insurance decision dated July 27, 2011, reference 03, is reversed. The claimant is entitled to retroactive benefits for the four weeks ending July 2, 2011.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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