

**IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI**

**BRIDGETTE C BROWN  
3308 E KIMBERLY RD #354  
DAVENPORT IA 52807**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**Appeal Number: 05A-UI-06315-CT  
OC: 03/27/05 R: 04  
Claimant: Appellant (1)**

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

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.

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.

YOU MAY REPRESENT yourself in this appeal or you may 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. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

871 IAC 24.2(1)g – Filing Weekly Claims

STATEMENT OF THE CASE:

Bridgette Brown filed an appeal from a representative's decision dated June 10, 2005, reference 03, which denied her request for retroactive benefits. After due notice was issued, a hearing was held by telephone on July 5, 2005. Ms. Brown participated personally.

FINDINGS OF FACT:

Having heard the testimony of the witness and having reviewed all the evidence in the record, the administrative law judge finds: Ms. Brown filed a claim for job insurance benefits effective March 27, 2005. She was provided written materials advising that claims had to be called in each week in order to receive benefits. Ms. Brown did not submit weekly claims for the four

weeks ending June 4, 2005. She knew that her claim filed for the week ending May 14 had not been accepted by the voice response unit, possibly because she was using a cellular telephone to report her claim. The written instructions provided to claimants advise against the use of cellular telephones to report claims.

Ms. Brown acknowledged that she failed to call in for some of the four weeks ending June 4. She was finally in contact with Workforce Development concerning her claim during the week ending June 11, 2005.

#### REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Ms. Brown should be allowed retroactive benefits for the four weeks ending June 4, 2005. She knew that her claim filed for the first week, the week ending May 14, had not been accepted. The administrative law judge is not satisfied that she made a diligent effort to resolve the issue before the expiration of four weeks. Ms. Brown acknowledged some fault on her part for the claims not being filed timely. Given her delay in trying to resolve the matter, the administrative law judge concludes that retroactive benefits should not be granted.

#### DECISION:

The representative's decision dated June 10, 2005, reference 03, is hereby affirmed. Ms. Brown has failed to present sufficient justification to warrant allowing retroactive benefits for the period May 8 through June 4, 2005.

cfc/pjs