

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

SETH M SHERWOOD
Claimant

APPEAL 15A-UI-11690-CL-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 08/16/15
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 filed an appeal from the October 12, 2015, (reference 05) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was scheduled for November 4, 2015. Claimant participated. Department's Exhibit D-1 was received.

ISSUE:

Should the claimant's request for retroactive benefits be granted for the four-week period ending September 19, 2015?

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 August 16, 2015.

The claimant received an initial decision that disqualified the claimant from unemployment benefits. Claimant appealed this decision. The claimant discontinued filing his claim by VRU/online web application for the four-week period ending September 19, 2015, and did not inquire about the issue of benefit non-payment with Iowa Workforce Development (IWD) until September 23, 2015, after his unemployment hearing decision was modified in his favor. Claimant did not think he needed to file his claim while disqualified. He did not read the paper or online version of the Unemployment Insurance Benefits Handbook that instructs claimants to continue filing weekly claims while an appeal is pending.

Claimant then applied for retroactive benefits. A decision was mailed to claimant's address of record on October 12, 2015, which denied the request.

REASONING AND CONCLUSIONS OF LAW:

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

In order to be eligible for weekly benefits, the claimant must file a VRU or 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 assumption that he did not need to continue to file his weekly claim while appealing the disqualification decision and failure to inquire with IWD or read the Unemployment Insurance Benefits Handbook are not considered good-cause reasons for having failed to file weekly VRU/online web application continued claims.

DECISION:

The October 12, 2015, (reference 05) unemployment insurance decision is affirmed. The claimant's request for retroactive benefits is denied.

Christine A. Louis
Administrative Law Judge
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Decision Dated and Mailed

cal/pjs