

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**KIMBERLEY D JACKMAN**  
Claimant

**APPEAL 18A-UI-01664-JCT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 12/31/17  
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 January 30, 2018, (reference 01) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was scheduled and conducted on March 1, 2018. The claimant participated personally. The administrative law judge took official notice of the administrative records including the fact-finding documents. Based on the evidence, the arguments presented, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Should the claimant's request for retroactive benefits be granted?

**FINDINGS OF FACT:**

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: The claimant filed an original claim effective December 31, 2017. The claimant did not file her weekly continued claims from the period of December 31, 2017 through January 13, 2018. The claimant further stated she believed based upon the receipt of her monetary record ("the green sheet") and debit card, she needed to take no further action. Another reason the claimant did not file her claims sooner is because she did not think she would be eligible based upon receipt of severance pay and other payments received at the time of separation. The claimant acknowledged she has not filed for unemployment insurance benefits before and did not contact IWD with questions until after January 16, 2018.

The claimant did not read the entire paper or online version of the Unemployment Insurance Benefits Handbook as instructed when he established his unemployment insurance claim. The December 2017, version of the *Unemployment Insurance Benefits Handbook*, provides in pertinent part at pages 13 and 14:

**Claim Effective Date**

The effective date of all UI claims, regardless of filing method, will be the Sunday of the week in which the application was filed. The effective date of a claim will not be changed for applications that were not filed in a timely manner.

and

### Reactivating a Claim

An individual can start and stop claiming weekly benefits as many times as necessary during the benefit year. This is called a break in reporting status. Any break in reporting requires the individual to file another initial claim application during the week they want to start collecting benefits again. Any employment during the break must be reported.

The December 2017, version of the *Unemployment Insurance Benefits Handbook*, provides in pertinent part at pages 19 and 20:

### Filing Weekly Claims

#### How to File

After you file your initial claim, file weekly claims online at [iowaworkforcedevelopment.gov](http://iowaworkforcedevelopment.gov) for every week you are unemployed or your hours are reduced. You must file a weekly claim for any week that you want payment even if your eligibility is being decided or you have an appeal pending.

To request UI benefit payments during weeks of unemployment, individuals must certify they:

- Are currently unemployed or working reduced hours
- Are able to work and available for work
- Have not refused any job offers or referrals to a job
- Are actively looking for work (unless waived)
- Are reporting any pay or pension payment

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Start of UI claim week one						Last day of week one (no filing)
First day to file week one	File for week one	File for week one	File for week one	File for week one	Last day to file for week one	Last day of week two (no filing)
First day to file week two	File for week two	File for week two	File for week two	File for week two	Last day to file for week two	Last day of week three (no filing)
First day to file week three	File for week three	File for week three	File for week three	File for week three	Last day to file for week three	Last day of week four (no filing)

#### When to File

The current week is the week that just ended on Saturday. Weekly claims must be filed 8 am Sunday through 5:30 pm Friday for the prior week only. This means individuals have six days to file the previous week's claim. See the chart above for the days available to file. Weekly claims can be filed online using a mobile device or computer at <https://uiclaims.iwd.iowa.gov/weeklyclaims/>.

Delay in filing your weekly claim could result in denial of benefits.

**IMPORTANT:** You will receive confirmation that the claim has been processed successfully. If you don't receive confirmation, the process must be repeated until the claim has been successfully submitted.

Elsewhere in the December 2017, version of the handbook at page 8, contact information includes days and hours for filing a claim and weekly claim reporting:

**File a Claim**

Hours: Sunday through Friday, 8:00 am to 4:30 pm  
[www.iowaworkforcedevelopment.gov](http://www.iowaworkforcedevelopment.gov)  
<https://uiclaims.iwd.iowa.gov/UIInitialClaim/>

**Weekly Claim Reporting**

Hours: Sunday 8:00 am – 11:30 pm and Monday through Friday 8:00 am through 5:30 pm  
<https://uiclaims.iwd.iowa.gov/weeklyclaims/>

**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 section 96.6(1) provides:

**96.6 Filing — determination — appeal.**

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

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.

In this case, the claimant failed to file a weekly claim for the two-week period ending January 13, 2018. The claimant did not read the handbook containing instructions on filing her claim, and noted this was her first time filing for benefits. The administrative law judge is sympathetic to the claimant, but based on the evidence presented, the administrative law judge concludes the claimant has not established good cause for her delay in filing her weekly continued claims. Good cause involves circumstances beyond the claimant's control that prevent a claimant from filing a prompt and proper claim. Accordingly, the claimant's request for retroactive benefits is denied.

**DECISION:**

The January 30, 2018, (reference 01) unemployment insurance decision is affirmed. The claimant's request for retroactive benefits is denied.

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Jennifer L. Beckman  
Administrative Law Judge

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Decision Dated and Mailed

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