

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

BETH A JULIUS
Claimant

APPEAL 15A-UI-12390-SC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 10/11/15
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 November 4, 2015, (reference 02) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was scheduled for December 3, 2015. The claimant participated.

ISSUE:

Should the claimant's request for retroactive benefits be granted for the three-week period ending October 31, 2015?

FINDINGS OF FACT:

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: The claimant filed a claim effective October 11, 2015. She did not file continued claims by voice response unit (VRU) or online web application for the three-week period ending October 31, 2015, and did not inquire about the issue of benefit non-payment with Iowa Workforce Development (IWD) until after the same date. The claimant understood that she needed to file her weekly continuing claim; however, she was going through a legal proceeding to adopt her grandson and forgot to file her 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 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 other words, for a claimant to be eligible for weekly benefits he or she 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. The claimant's failure to file her weekly continuing claims because she forgot due to an ongoing personal legal matter is not a good-cause reason for having failed to file weekly VRU/online web application continued claims. Retroactive benefits are denied.

DECISION:

The November 4, 2015, (reference 02) unemployment insurance decision is affirmed. The claimant's request for retroactive benefits is denied.

Stephanie R. Callahan
Administrative Law Judge

Decision Dated and Mailed

src/pjs