

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

ZEKE A ZOECKLER
Claimant

APPEAL 14A-UI-12421-LT
ADMINISTRATIVE LAW JUDGE
DECISION

IOWA WORKFORCE
DEVELOPMENT DEPARTMENT

OC: 10/19/14
Claimant: Appellant (2)

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 21, 2014 (reference 04) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was scheduled for December 29, 2014. Claimant participated.

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: Claimant filed a claim effective October 19, 2014 intended for a one-week period while he attended school for his carpentry apprenticeship. The instructions were not clear that he was also required to file a continued claim by voice response unit (VRU) or online web application for that one-week period ending October 25, 2014. He attempted to file his claim but was unable to do so and also tried to inquire about the issue with Iowa Workforce Development (IWD) but was unable to reach the local office until after the VRU filing deadline for the week. He has filed continued claims for another week of school during the week ending December 20, 2014 and a holiday shutdown scheduled for the two weeks ending January 3, 2015.

REASONING AND CONCLUSIONS OF LAW:

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

Iowa Code § 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 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.

Claimant's unsuccessful attempts to file continued claims online and resolve the issue by contacting Workforce Advisors are considered good reasons for the delay in filing weekly VRU/online web application continued claims. Furthermore, since the term "claim" is used for both the benefit year claim and the weekly claim, claimant's confusion is reasonable and retroactive benefits are granted for the one week ending October 25, 2014, provided he is otherwise eligible. Claimant is urged to review the information in the Claimant Handbook <http://www.iowaworkforce.org/ui/handbook.htm>.

DECISION:

The November 21, 2014 (reference 04) unemployment insurance decision is reversed. The claimant's request for retroactive benefits is granted for the one week ending October 25, 2014.

Dévon M. Lewis
Administrative Law Judge

Decision Dated and Mailed

dml/can