

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**RANDY J ADKINS**  
Claimant

**APPEAL 17A-UI-12379-NM-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 01/01/17  
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 30, 2017, (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 27, 2017. Claimant participated.

**ISSUE:**

Should the claimant's request for retroactive benefits be granted for the one-week period ending November 4, 2017?

**FINDINGS OF FACT:**

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: Claimant filed an original claim effective January 1, 2017. Claimant was temporarily laid off work the week of October 15, 2017 and was able to successfully file his weekly claim for benefits. Claimant was back to work the following week, but filed his weekly claim, reporting his wages for the week. Claimant was again laid off the week of October 29, 2017. Claimant attempted to file his weekly claim on November 5, 2017 and received the same message he did with his prior weekly claims indicating the submission was successful. Claimant did not, however, receive payment for that week. Claimant contacted Iowa Workforce Development to resolve the issue, but was initially unsuccessful. Claimant again called and his request for retroactive benefits was successfully processed, but for the incorrect week.

**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 section 96.6(1) provides:

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.

For each week the claimant remains unemployed, they must file a “weekly continued claim” (WCC) to show they are available for work, report any wages, and otherwise establish eligibility for that past week of benefit payment. That must be done sometime between Sunday and Friday of the following week (see chart below). If a claimant does not file a WCC for one week for any reason and becomes unemployed again, the process must start over by reopening the OC no later than Friday, and filing weekly continued claim sometime between the following Sunday through Friday. No filing of any kind may be done on any Saturday.

The September 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.

Here, claimant filed his weekly claim in accordance with the guidelines established by the agency. Claimant received the same confirmation he always received indicating his claim was submitted. Given the claim confirmation message, claimant's belief it was successful was reasonable and is considered a good reason for the delay in filing the weekly online web application continued claim.

**DECISION:**

The November 30, 2017, (reference 02) unemployment insurance decision is reversed. The claimant's request for retroactive benefits is granted.

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Nicole Merrill  
Administrative Law Judge

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Decision Dated and Mailed

nm/rvs