

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

MACHELLE L CUTTING
Claimant

APPEAL NO: 13A-UI-10286-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 08/04/13
Claimant: Appellant (1)**

871 IAC 24.2(1)g – Retroactive Benefits

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's September 5, 2013 determination (reference 01) that denied her request for retroactive benefits for the weeks ending August 10 and 17, 2013. The claimant participated at the hearing. At the hearing, the claimant clarified that she was only requesting benefits for the week ending August 17. She had excessive wages during the week ending August 10, 2013, and knew she would not be eligible to receive benefits this week. Based on the evidence, the claimant's arguments, and the law, the administrative law judge must deny the claimant's request for retroactive benefits for the week ending August 17.

ISSUE:

Should the claimant's request for retroactive benefits for the week ending August 17 be granted?

FINDINGS OF FACT:

The claimant went to her local library and established an on-line claim for benefits during the week of August 4, 2013. The last day the claimant worked was August 6, 2013.

After the claimant received confirmation that she had filed or established a claim, she did not understand that she needed to file weekly claims each week she wanted benefits. Even though the claimant received a message about continuous claims, she did not understand that this applied to her even though she was only on a temporary layoff and was returning to work on August 19. The claimant did not file a weekly claim for the weeks ending August 10 or 17, 2013.

The claimant had many personal issues going on during this time. She does not remember receiving or reading how to file a weekly claim. Since a determination was issued on September 5 denying her request for retroactive benefits, it is assumed she asked about benefits for the week ending August 17 in late August or early September.

REASONING AND CONCLUSIONS OF LAW:

A claimant must submit a weekly claim for benefits, 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. 871 IAC 24.2(1). Even though the claimant had a number of personal issues she was dealing with in August, she did not establish good cause for filing a late weekly claim. Her request for retroactive benefits for the week ending August 17, 2013, is denied.

DECISION:

The representative's September 5, 2013 determination (reference 01) is affirmed. The claimant's request for retroactive benefits for the week ending August 17, 2013, is denied because she did not establish good cause for failing to file a timely weekly claim.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css