

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DARREN C ANDERSON
Claimant

APPEAL NO: 15A-UI-01151-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 01/11/15
Claimant: Appellant (2)

871 IAC 24.2(1)h – Backdate a Claim

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's January 21, 2015 determination (reference 01) that denied his request to backdate his claim prior to January 11, 2015. A hearing was scheduled on February 26, 2015. Based on the administrative record and the law, a hearing was not necessary and the administrative law judge concludes the claimant's request to backdate his claim is granted.

ISSUE:

Should the claimant's request to backdate his claim be granted or denied?

FINDINGS OF FACT:

The last day the claimant worked for Exceltrait, Inc. was January 3, 2015. The claimant was living in Illinois and filed a claim in Illinois on January 4, 2015. On January 9, the claimant received a letter from Illinois stating he was not eligible to receive benefits in Illinois because he had not earned enough money in Illinois during his base period. The claimant immediately contacted an Illinois representative and learned he should file a claim against Iowa because most of wages he earned from Iowa.

The claimant filed an on-line claim with Iowa on January 11, 2015. The claimant requested that his claim be backdated to the date he filed his claim in Illinois or as of January 4, 2015.

REASONING AND CONCLUSIONS OF LAW:

When filing for benefits, the effective date is Sunday of the current calendar week in which the claim is filed. A claim may be backdated if a claimant establishes sufficient grounds to excuse the delay in filing a claim for benefits. Reasons for filing a late claim include receiving incorrect advice from a workforce employee and if an employer intimidated a claimant to prevent the prompt filing of a claim. 871 IAC 24.2(h). '

The claimant established sufficient grounds to backdate his Iowa claim to January 4, 2015. The effective date of his claim is January 4, not January 11, 2015.

DECISION:

The representative's January 21, 2015 determination (reference 01) is reversed. The claimant's request to backdate his claim to January 4, 2015, is granted. The effective date of the claimant's claim is January 4, not January 11, 2015.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs