

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**STEPHANIE K BILDSTEIN**  
Claimant

**APPEAL 18A-UI-01393-LJ-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 12/31/17  
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 January 24, 2018, (reference 01) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was scheduled for February 23, 2018. Claimant participated. The administrative law judge took official notice of the administrative record, including the fact-finding documentation.

**ISSUE:**

Should the claimant's request for retroactive benefits be granted for the one-week period ending January 13, 2018?

**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 December 31, 2017, with a reopened claim on January 14, 2018. She did not file continued claims by online web application for the one-week period ending January 13, 2018. She called the department the following week, after attempting to file a continued weekly claim that week and finding her claim locked.

**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 Code section 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 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. (Emphasis added.)

What parties often misunderstand about the process is that during the week in which the unemployment occurs, the claimant should open an umbrella-like “original claim” (OC) by the close of business on Friday to establish the general claim for unemployment insurance benefits. In addition, 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.

On October 1, 2017, a letter about weekly claim filing change information was sent to all claimants, whether the claim was active or not:

### **Weekly Claim Filing Changes**

Beginning with the week ending October 7, 2017, the first day of the week you can report a weekly claim is the Sunday starting at 8 a.m. after the prior week has ended. This means after October 7, 2017, **you can no longer file weekly claims on Saturday of any week.**

In addition, after October 7, 2017, weekly claims must be filed **Sunday** through **Friday** for the prior week only. This means you have six days to file the previous week’s claim. See the chart below for the days available to file your weekly claim. Delay in filing your weekly claim could result in denial of benefits.

You are encouraged to start following the new claims filing process now so that you are used to the new schedule when the changes happen in October. For your convenience, you can file your weekly claim online using a mobile device or computer at [www.iowaworkforcedevelopment.gov](http://www.iowaworkforcedevelopment.gov).

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Start of UI claim week 1						Last day of week 1 (no filing)
First day to file for week 1	File for week 1	File for week 1	File for week 1	File for week 1	Last day to file for week 1	Last day of week 2 (no filing)
First day to file for week 2	File for week 2	File for week 2	File for week 2	File for week 2	Last day to file for week 2	Last day of week 3 (no filing)
First day to file for week 3	File for week 3	File for week 3	File for week 3	File for week 3	Last day to file for week 3	Last day of week 4 (no filing)

Please see our Q & A at [www.iowaworkforcedevelopment.gov/unemployment-insurance-frequently-asked-questions](http://www.iowaworkforcedevelopment.gov/unemployment-insurance-frequently-asked-questions) for more information.

You can also contact Unemployment Insurance Customer Service for additional questions:

**Unemployment Insurance Customer Service**

Email: [uicclaimshelp@iwd.iowa.gov](mailto:uicclaimshelp@iwd.iowa.gov)

Website: [www.iowaworkforcedevelopment.gov](http://www.iowaworkforcedevelopment.gov)

Phone: 1-866-239-0843, Monday-Friday from 8 a.m. - 4:30 p.m.

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.

Elsewhere in the September 2017, version of the handbook at page 8, contact information includes days and hours for filing a claim and weekly claim reporting:

### File a Claim

Hours: Sunday through Friday, 8:00 am to 4:30 pm  
[www.iowaworkforcedevelopment.gov](http://www.iowaworkforcedevelopment.gov)  
<https://uiclaims.iwd.iowa.gov/UIInitialClaim/>

### Weekly Claim Reporting

Hours: Sunday 8:00 am – 11:30 pm and Monday through Friday 8:00 am through 5:30 pm  
<https://uiclaims.iwd.iowa.gov/weeklyclaims/>

It is the duty of the administrative law judge as the trier of fact in this case, to determine the credibility of witnesses, weigh the evidence and decide the facts in issue. *Arndt v. City of LeClaire*, 728 N.W.2d 389, 394-395 (Iowa 2007). The administrative law judge may believe all, part or none of any witness's testimony. *State v. Holtz*, 548 N.W.2d 162, 163 (Iowa App. 1996). In assessing the credibility of witnesses, the administrative law judge should consider the evidence using his or her own observations, common sense and experience. *Id.* In determining the facts, and deciding what testimony to believe, the fact finder may consider the following factors: whether the testimony is reasonable and consistent with other believable evidence; whether a witness has made inconsistent statements; the witness's appearance, conduct, age, intelligence, memory and knowledge of the facts; and the witness's interest in the trial, their motive, candor, bias and prejudice. *Id.* After assessing the credibility of the witnesses who testified during the hearing, considering the applicable factors listed above, and using her own common sense and experience, the administrative law judge finds claimant was not a credible witness.

Claimant is urged to review information in the Unemployment Insurance Benefits Handbook at: [https://www.iowaworkforcedevelopment.gov/sites/search.iowaworkforcedevelopment.gov/files/documents/ClaimantHandbook\\_2017-18.pdf](https://www.iowaworkforcedevelopment.gov/sites/search.iowaworkforcedevelopment.gov/files/documents/ClaimantHandbook_2017-18.pdf). Claimant has not presented good cause to grant her request for retroactive benefits. Therefore, claimant's request for retroactive benefits is denied.

**DECISION:**

The January 24, 2018, (reference 01) unemployment insurance decision is affirmed. The claimant's request for retroactive benefits is denied.

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Elizabeth A. Johnson  
Administrative Law Judge

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Decision Dated and Mailed

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