

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

MELISSA M WILLIAMS SIMPSON
Claimant

APPEAL 17A-UI-10381-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 02/12/17
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 a timely appeal from the October 10, 2017, (reference 07), decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was held on October 26, 2017. Claimant participated.

ISSUE:

Can 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 with an effective date of February 12, 2017. For the week ending September 30, 2017 the claimant simply forgot to file her online weekly claim. When she went online to file her weekly claim for the following week, the week ending October 7, 2017, since she had not made a weekly claim the prior week, she had a break in her reporting and the system would not allow her to file a weekly claim. Because there was a break in her reporting, the claimant was required to reopen her claim during the week ending October 7, 2017 in order to be able to file a weekly continuing claim for that week. She had not reopened her claim as she did not remember that she had failed to make a claim for the week ending September 30, 2017.

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.

Forgetting to file for benefits for one week is not considered good cause for awarding retroactive benefits. Similarly failure to reopen the claim during a week after there has been a break in reporting is not considered good cause for allowing retroactive benefits. Since the claimant did not properly reopen her claim during the week ending October 7, 2017, the system would not allow her to make a weekly claim. The claimant has not established good cause for failing to file or reopen her claim during the week in question. Retroactive benefits for the week ending September 30, 2017 and October 7, 2017 are denied.

DECISION:

The October 10, 2017, (reference 07) decision is affirmed. The claimant's request for retroactive benefits is denied.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/rvs