

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**KEVIN M MCCAFFERTY**  
Claimant

**APPEAL 17A-UI-10494-JCT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 09/17/17  
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 October 9, 2017, (reference 04) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was scheduled for October 31, 2017. The claimant participated personally. The administrative law judge took official notice of the administrative records including the fact-finding documents. Based on the evidence, the arguments presented, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Should the 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: The claimant filed an original claim effective September 17, 2017. He did not file a weekly claim by online web application for the two-week period ending September 30, 2017, and did not inquire about the issue of benefit non-payment with Iowa Workforce Development (IWD) until his fact-finding interview on October 4, 2017.

He "skimmed" but not read the paper or online version of the Unemployment Insurance Benefits Handbook as instructed when he established his unemployment insurance claim. 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.

## 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.

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.

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.

In this case, the claimant failed to file a weekly claim for the two-week period ending September 30, 2017. The claimant did not read the handbook containing instructions on filing his claim. The administrative law judge is sympathetic to the claimant, but based on the evidence presented, the administrative law judge concludes the claimant has not established good cause for delay in filing his weekly continued claims. Good cause involves circumstances beyond the claimant's control that prevent a claimant from filing a prompt and proper claim. Accordingly, the claimant's request for retroactive benefits is denied.

**DECISION:**

The October 9, 2017, (reference 04) unemployment insurance decision is affirmed. The claimant's request for retroactive benefits is denied.

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Jennifer L. Beckman  
Administrative Law Judge

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Decision Dated and Mailed

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