

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JORDAN T GREENLAND
Claimant

APPEAL 17A-UI-05085-DB-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 02/05/17
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/appellant filed an appeal from the May 8, 2017 (reference 02) unemployment insurance decision that denied his request for retroactive benefits for the period of March 5, 2017 to April 22, 2017. The claimant was properly notified of the hearing. A telephone hearing was held on May 30, 2017. The claimant, Jordan T. Greenland, participated personally. The administrative law judge took administrative notice of the claimant's unemployment insurance records.

ISSUE:

Should the claimant's request for retroactive benefits be granted for the seven-week period ending April 22, 2017?

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 February 5, 2017. He filed weekly claims for benefits between February 5, 2017 and March 4, 2017. He received a decision stating that his separation from employment was disqualifying and he appealed that decision. While his appeal was pending claimant did not file any weekly claims between March 5, 2017 and April 22, 2017. He did not read the paper or online version of the Unemployment Insurance Benefits Handbook that instruct claimants to file weekly claims. He did not review the hearing notice that specifically states to file weekly claims while an appeal is 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 § 96.6(1) provides:

1. Filing. Claims for benefits shall be made in accordance with such regulations as the department may prescribe.

Iowa Admin. Code r. 871-24.2(1)g provides:

Procedures for workers desiring to file a claim for benefits for unemployment insurance.

(1) § 96.6 of the employment security law of Iowa states that claims for benefits shall be made in accordance with such rules as the department prescribes. The department of workforce development accordingly prescribes:

g. No continued claim for benefits shall be allowed until the individual claiming benefits has completed a voice response continued claim or claimed benefits as otherwise directed by the department. The weekly voice response continued claim shall be transmitted 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.

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. Claimant's failure to read and follow the instructions in the Unemployment Insurance Benefits Handbook or the hearing notice instructing him to file weekly claims while an appeal is pending are not considered a good reasons for having failed to file online weekly claims. Retroactive benefits are denied.

DECISION:

The May 8, 2017 (reference 02) unemployment insurance decision is affirmed. The claimant's request for retroactive benefits is denied.

Dawn Boucher
Administrative Law Judge

Decision Dated and Mailed

db/rvs