

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DANIEL R GOODELL
Claimant

APPEAL NO: 13A-UI-11056-DT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 05/19/13

Claimant: Appellant (2)

871 IAC 24.2(1)a & h(1) & (2) - Backdating

STATEMENT OF THE CASE:

Daniel R. Goodell (claimant) appealed a representative's September 25, 2013 decision (reference 01) that denied the claimant's request to backdate his additional claim prior to September 8, 2013. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on October 23, 2013. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, 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 to back date his additional claim be granted?

FINDINGS OF FACT:

The claimant had originally established a claim for unemployment insurance benefits effective May 19, 2013 after a layoff from employment. He had another layoff from employment effective on or about September 1, 2013. On Monday, September 9 he attempted to reactivate his claim with an additional claim to seek benefits, going back to September 1. He had done so at that time because in July he had attempted to reactivate his claim with an additional claim later in the week after he had been laid off, and was told by an Agency representative that he should have made his attempt on the Monday of the week. In actuality, he best should reactivate the claim with an additional claim during the week of the layoff itself, and then file the weekly continued claim for the specific week on the Saturday or Sunday of the week he is unemployed.

REASONING AND CONCLUSIONS OF LAW:

Agency rule 871 IAC 24.2(1)h provides that claims for unemployment insurance benefits are ordinarily effective on the Sunday of the calendar week in which the individual files the initial claim. For good cause, a claim may be backdated. The administrative law judge finds good cause in the claimant's delay of one week. The additional claim should be backdated to September 1, 2013.

DECISION:

The representative's September 25, 2013 decision (reference 01) is reversed. The claimant's request to backdate his claim to September 1, 2013 is allowed.

Lynette A. F. Donner
Administrative Law Judge

Decision Dated and Mailed

ld/pjs