

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ANTHONY W CURRENT
Claimant

APPEAL 18A-UI-03825-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 02/11/18
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 March 12, 2018, (reference 01) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was held on April 19, 2018.

ISSUE:

Should the claimant's request for retroactive benefits be granted for the two-week period ending February 24, 2018?

FINDINGS OF FACT:

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: The claimant filed a claim for benefits with an effective date of February 11, 2018. He received his monetary record which informed him that he did not have sufficient wages in his base period to be eligible for benefits. The claimant's employer had not reported all of his wages to the agency. When the claimant received the monetary record he stopped looking for work and stopped making his weekly continued claim. He did not go to his local office to ask that his claim be examined for missing wages until February 26, 2018. The monetary record specifically tells the claimant he must make work searches and that continued claim must be filed online at www.iowaworkforcedevelopment.gov. No one at the local office would have told the claimant to stop making his weekly claims. The handbook which the claimant agreed he would read specifically tells claimants to keep making weekly claims while their claim is pending or they will not be paid for those weeks. The claimant chose to stop making weekly claims when he could have asked the agency to open a wage investigation right away when he received the monetary record and learned that all of his wages were not included.

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.

The claimant saw that his monetary record was incorrect when he received it. He chose to stop filing weekly claims and to stop making his weekly job searches. The administrative law judge does not find it credible that any employee would tell a claimant they do not have to make weekly job searches while a wage investigation is ongoing. The handbook and monetary record provided the information the claimant needed. His failure to make the job searches and the weekly claims due to the missing wages on his monetary record is not good cause for retroactive benefits. Retroactive benefits are denied.

DECISION:

The March 12, 2018, (reference 01) unemployment insurance decision is affirmed. The claimant's request for retroactive benefits is denied.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/rvs