

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

MEGAN E ROETH
Claimant

APPEAL 18A-UI-01926-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 01/14/18
Claimant: Appellant (2)**

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 February 6, 2018, (reference 03), unemployment insurance decision that denied claimant's request for retroactive benefits. After due notice was issued, a telephone conference hearing was held on March 8, 2017. Claimant participated. Claimant's Exhibit A was admitted into the record.

ISSUE:

Should the claimant's request for retroactive benefits be granted for the two-week period ending January 6, 2018?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed an original claim effective January 14, 2018. She correctly filed her claim for benefits for the week ending January 20, on Sunday January 21. She was paid benefits for that week. The claimant went online on January 28, and filed her claim for benefits for the week ending January 27. She received a message from the online system telling her that her weekly claim had been successfully filed. When she went online again on February 4 to file her weekly claim she learned that her claim had been locked. The claimant alleges a system glitch or error occurred as she did see the screen that told her she had successfully filed her claim for the week ending January 27, 2018. When claimant recognized the issue, she contacted the Iowa Workforce Development (IWD) and was assisted in reopening the claim.

Claimant did not earn any wages or receive any vacation or holiday pay during the two weeks ending February 3, 2018. Claimant was aware she was required to file a continued claim for each week she was seeking benefits and did correctly file until she was locked out of the system.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant's request for retroactive benefits is granted.

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 December 2017, version of the *Unemployment Insurance Benefits Handbook*, provides in pertinent part at pages 13 and 14:

Claim Effective Date

The effective date of all UI claims, regardless of filing method, will be the Sunday of the week in which the application was filed. The effective date of a claim will not be changed for applications that were not filed in a timely manner.

and

Reactivating a Claim

An individual can start and stop claiming weekly benefits as many times as necessary during the benefit year. This is called a break in reporting status. Any break in reporting requires the individual to file another initial claim application during the week they want to start collecting benefits again. Any employment during the break must be reported.

The December 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 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.

Elsewhere in the December 2017, version of the handbook at page 8, contact information includes days and hours for filing a claim and weekly claim reporting:

File a Claim

Hours: Sunday through Friday, 8:00 am to 4:30 pm
www.iowaworkforcedevelopment.gov
<https://uiclaims.iwd.iowa.gov/UIInitialClaim/>

Weekly Claim Reporting

Hours: Sunday 8:00 am – 11:30 pm and Monday through Friday 8:00 am through 5:30 pm
<https://uiclaims.iwd.iowa.gov/weeklyclaims/>

In this case, claimant was aware she needed to file a weekly claim each week she was seeking benefits. Claimant did file a weekly continued claim for the week ending January 27, 2018, but for some reason the system did not record her claim, despite telling her that her claim had been successfully filed. When the claimant attempted to timely file her weekly claim the next week she was unable to do so because the claim closed after one week of failing to file a continued weekly claim.

Although the Unemployment Insurance Handbook addresses reactivating a claim, it does not clearly state that a claim will close after only one week of failing to file a continued weekly claim.

Claimant has shown a good cause reason for failing to file her weekly continued claim for the two week period ending February 3, 2018. Therefore, claimant's request for retroactive benefits for the two weeks ending February 3, 2018, is allowed.

DECISION:

The February 6, 2018, (reference 03) unemployment insurance decision is reversed. The claimant's request for retroactive benefits is granted for the two weeks ending February 3, 2018. Claimant did not earn any wages or receive any vacation or holiday pay during the two weeks ending February 3, 2018.

Teresa K. Hillary
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Decision Dated and Mailed

tkh/rvs