

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**LIZA M SHOWALTER**  
Claimant

**APPEAL NO: 14A-UI-07881-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 12/01/13  
Claimant: Appellant (1)**

871 IAC 24.2(h) – Backdate

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's July 21, 2014 (reference 04) determination that denied her request to backdate her reopened claim. The claimant participated at the August 21 hearing. Based on the evidence, the claimant's arguments, and the law, the administrative law judge must deny the claimant's request to backdate her reopened claim.

**ISSUE:**

Should the claimant's request to backdate her claim be granted or denied?

**FINDINGS OF FACT:**

The claimant established a claim for benefits during the week of December 1, 2013. She filed weekly claims until the week ending January 11, 2014. In mid-January 2014 the claimant began working at a temporary job. She then stopped filing weekly claims.

The claimant's temporary job ended on June 26, 2014. The claimant did not reopen her claim or attempt to file any weekly claims until the week of July 13, 2014. When the claimant's job ended on June 26, the claimant was very ill and did not know what was wrong. The claimant knew she was very ill and could hardly move for about a week.

On July 9 the claimant learned what she had. It was not until the week of July 13 that the claimant felt well enough and clear-headed enough to reopen her unemployment insurance claim and start filing weekly claims again. When the claimant reopened her claim, she requested that her claim be backdated to June 29, 2014.

**REASONING AND CONCLUSIONS OF LAW:**

When filing for benefits, the effective date is Sunday of the current calendar week in which the claim is filed. A claim may be backdated if a claimant establishes sufficient grounds to excuse the delay in filing a claim for benefits. Reasons for filing a late claim include receiving incorrect advice from a workforce employee and if an employer intimidated a claimant to prevent the prompt filing of a claim. 871 IAC 24.2(h).

The evidence indicates the claimant did not reopen her claim and file claims for the weeks ending July 5 and 12 because she was very ill and could not physically or mentally do much of anything these two weeks. Even if the claimant's request could be backdated, an issue of whether she was able to and available for work these two weeks would have to be addressed.

While, I understand the claimant wants to file claims for the week ending July 5 and 12, but being so ill she could not use her home computer does not establish sufficient grounds to backdate her reopened claim. The claimant's request to backdate her claim is denied.

**DECISION:**

The representative's July 21, 2014 (reference 04) determination is affirmed. The claimant's request to backdate her claim is denied. The effective date of her reopened claim is July 13, 2014.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/can