

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ALEXIS GUTHRIE**  
Claimant

**APPEAL NO: 14A-UI-07963-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 07/06/14**  
**Claimant: Appellant (4/R)**

871 IAC 24.2(1)h – Backdate

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's July 21, 2014 (reference 01) determination that denied her request to backdate her claim. The claimant participated at the August 25 hearing. Based on the evidence, the claimant's arguments, and the law, the administrative law judge grants the claimant's request to backdate her claim if she decides she still wants her claim backdated after she learns how her monetary eligibility will be affected if she backdates her claim.

**ISSUE:**

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

**FINDINGS OF FACT:**

The week of June 30 the claimant was on a temporary layoff from work. The claimant started the application for unemployment insurance benefits on her home computer on July 1. The claimant has an older computer and had a great deal of difficulty accessing the Department's website. After the claimant could access the website and complete the online application, she realized she did not have some needed wage information. The online application would not allow the claimant to continue and complete the application until she had input some payroll information. The claimant could not directly contact the employer's payroll department for the missing information because the employer was closed for the week.

After the claimant gained access to the payroll information, she completed the online application on July 6, 2014. She noticed the claim date was wrong because she wanted her claim to be effective as of June 29 not July 6, 2014. The claimant called the Mason City office on Monday, July 7. She left messages asking for assistance to correct the effective date on her claim, but no one returned her call until the end of the week. During this phone conversation, the claimant understood her claim would be backdated, but it was not.

**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).

Since the claimant took reasonable steps to establish a claim during the week of June 29, but did not have easy access to the payroll information that the online application required, she established sufficient grounds to backdate her claim to June 29, 2014. Since backdating her claim will result in a new base period and potentially a different weekly benefit amount, before her claim is backdated a Department Representative must contact the claimant to explain any differences that may occur if her claim is backdate to June 29, 2014.

**DECISION:**

The representative's July 21, 2014 (reference 01) determination may be modified if the claimant still wants her claim backdated, after learning the consequences of having a new base period if her claim is backdated to June 29, 2014.

This matter is remanded to the Benefits Bureau to determine how the claimant's monetary eligibility will be changed if her claim is backdated. A representative shall then contact the claimant to explain the consequences of backdating her claim. If the claimant still wants her claim backdated after being told the consequences, if any, her claim shall be backdated to June 29, 2014.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/can