

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

SAMANTHA L MARBERRY
Claimant

APPEAL 18A-UI-05330-SC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 03/18/18
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:

Samantha L. Marberry (claimant) filed an appeal from the May 1, 2018, reference 04, unemployment insurance decision that denied her request for retroactive benefits. After due notice was issued, a telephone conference hearing was held on May 25, 2018. The claimant participated. No exhibits were offered into the record.

ISSUE:

Should the claimant's request for retroactive benefits be granted for the two-week period ending April 28, 2018?

FINDINGS OF FACT:

Having heard the testimony and reviewed the evidence in the record, the administrative law judge finds: The claimant filed an original claim effective March 18, 2018, with a reopened claim on April 29, 2018. The claimant successfully filed her weekly continued claims for benefits online for three weeks before experiencing any issues. On Sunday, April 22, the claimant filed her weekly continued claim for the week ending April 21. She received confirmation that her claim had been successfully filed. On Sunday, April 29, the claimant attempted to file her weekly continued claim for the week ending April 28, but was unable to do so as her claim had become inactive. On April 30, the claimant contacted Iowa Workforce Development (IWD) and learned that her account did not show she had filed a claim on April 22. The claimant requested retroactive benefits.

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 § 96.6(1) provides:

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 a VRU or 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 was aware of the requirement to file weekly continued claims and had successfully done so for three weeks prior to having any issues. The unemployment insurance filing system did not process the claimant's claim after stating it was successfully filed which led to her denial of benefits. The claimant contacted IWD immediately after discovering there was an issue. The claimant has presented good cause to support a request for retroactive benefits.

DECISION:

The May 1, 2018, reference 04, unemployment insurance decision is reversed. The claimant's request for retroactive benefits is granted.

Stephanie R. Callahan
Administrative Law Judge

Decision Dated and Mailed

src/scn