

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

ASHLEY E MAGNER
Claimant

APPEAL 15A-UI-00955-LT
**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 11/02/14
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 January 13, 2015 (reference 03) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was scheduled for February 17, 2015. Claimant participated.

ISSUE:

Should the claimant's request for retroactive benefits be granted for the eight-week period ending December 27, 2014?

FINDINGS OF FACT:

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: Claimant filed a claim effective November 2, 2014. She attempted to file weekly VRU and online continued claims during the eight-week period ending December 27, 2014 but was unaware the claims were not being recorded properly while her appeal of the separation disqualification was pending. Upon the disqualification reversal she discovered nonpayment of benefits, the error with filing weekly continued claims and resolved the issue with Workforce Advisors. Claimant made appropriate work searches and was available for work during the period in question.

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:

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 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.

Claimant's unknown unsuccessful attempts to file continued claims and discovery of the issue after favorable resolution of the separation eligibility is considered a good reason for the erroneous delay in filing weekly VRU/online web application continued claims.

DECISION:

The January 13, 2015 (reference 03) unemployment insurance decision is reversed. The claimant's request for retroactive benefits is granted.

Dévon M. Lewis
Administrative Law Judge

Decision Dated and Mailed

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