

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JORDAN D HOHL
Claimant

APPEAL 17A-UI-02005-SC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 01/08/17
Claimant: Appellant (1)

Iowa Code § 96.6(1) – Filing Claims
Iowa Admin. Code r. 871-24.2(1)g – Retroactive Benefits

STATEMENT OF THE CASE:

Jordan D. Hohl (claimant) filed an appeal from the February 17, 2017, reference 02, unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was scheduled to be held on March 15, 2017. However, the claimant requested to change the scheduled time of the hearing as there was a potential he would be working and unavailable on that day. The claimant agreed to reschedule the hearing to March 10, 2017, which is when it was held. The claimant participated.

ISSUE:

Should the claimant's request for retroactive benefits be granted for the five-week period ending February 11, 2017?

FINDINGS OF FACT:

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: The claimant filed an original claim for benefits effective January 8, 2017. He did not file continued weekly claims online for the five-week period ending February 11, 2017, and did not inquire about the issue of benefit non-payment with Iowa Workforce Development (IWD) until his fact-finding interview the week of February 11, 2017. He did not read the paper or online version of the Unemployment Insurance Benefits Handbook. The claimant stated that he did not make his weekly claims or inquire about lack of payment as he was not sure he had been separated from his job and did not know on what day he needed to make his weekly claim for benefits. The claimant previously filed a claim for benefits effective January 3, 2016. He successfully claimed and received benefits through week ending March 12, 2016.

REASONING AND CONCLUSIONS OF LAW:

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

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 an online 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's failure to read and follow the instructions in the Unemployment Insurance Benefits Handbook is not considered a good reason for having failed to file weekly online continued claims. His claim that he did not know if he was still employed is not persuasive as he filed his original claim for benefits on January 8, 2017, stating he was unemployed. Additionally, given his recent history of filing for and receiving unemployment insurance benefits, the claimant was aware of his duty to file a continued claim for benefits for any week in which he wanted to receive benefits. The claimant has not shown good cause for failing to make his weekly continued claims for benefits. Retroactive benefits are denied.

DECISION:

The February 17, 2017, reference 02, unemployment insurance decision is affirmed. The claimant's request for retroactive benefits is denied.

Stephanie R. Callahan
Administrative Law Judge

Decision Dated and Mailed

src