

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**WILLIAM D BIGELOW**  
Claimant

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**APPEAL 16A-UI-02915-H2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 01/17/16**  
**Claimant: Appellant (1)**

871 IAC 24.2(1)g – Retroactive Benefits

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the February 26, 2016, reference 01, decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was held on March 30, 2016. Claimant participated along with his girlfriend, Laura Knox.

**ISSUE:**

Should claimant's request for retroactive benefits be granted?

**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 January 17, 2016. The claimant has filed at least five years of unemployment claims beginning in 2012. During each claim he demonstrated an ability to properly make his weekly continuing claim and to re-open or reactivate his claim. The claimant did not make his weekly continuing claim for the three-week period ending February 20, 2016. His claim was not locked up by the pension issue as that fact-finding decision was not even issued until March 8, 2016, weeks after the claimant had not made his weekly continuing claims. The claimant received his copy of handbook for employees but lost it during his most recent move.

**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 Admin. Code r. 871-24.2(1)g provides:

Procedures for workers desiring to file a claim for benefits for unemployment insurance.

(1) § 96.6 of the employment security law of Iowa states that claims for benefits shall be made in accordance with such rules as the department prescribes. The department of workforce development accordingly prescribes:

g. No continued claim for benefits shall be allowed until the individual claiming benefits has completed a voice response continued claim or claimed benefits as otherwise directed by the department. The weekly voice response continued claim shall be transmitted not earlier than noon of the Saturday of the weekly reporting period and, unless reasonable cause can be shown for the delay, not later than close of business on the Friday following the weekly reporting period.

Claimant had demonstrated over five years an ability to make a weekly continuing claim and have been given the proper reporting instructions. The three weeks in question were not locked because the claimant reported a pension, but simply because the claimant did not make his weekly continuing claim. Under these circumstances retroactive benefits are denied.

**DECISION:**

The February 26, 2016, reference 01, decision is affirmed. The claimant's request for retroactive benefits is denied.

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Teresa K. Hillary  
Administrative Law Judge

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Decision Dated and Mailed

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