

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MATTHEW A STEELE**  
Claimant

**APPEAL NO: 14A-UI-02434-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 01/05/14**  
**Claimant: Appellant (1)**

871 IAC 24.2(1)h – Backdate a Claim

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's February 24, 2014 determination (reference 01) that denied his request to backdate his claim prior to January 5, 2014. The claimant participated at the March 27 hearing. Based on the evidence, the claimant's arguments, and the law, the administrative law judge denies the claimant's request to backdate his claim.

**ISSUE:**

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

**FINDINGS OF FACT:**

The employer's work slowed down after December 28, 2013. The claimant did not know if or when he should file a claim for benefits. He hoped the employer would call him to work between December 29, 2013, and January 4, 2014. The claimant was also busy with his children this week and did not think about establishing a claim for benefits.

During the week of January 5, the claimant knew he would be on a temporary layoff. He filed an on-line claim during the week of January 5, 2014.

**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).

The claimant did not think about filing a claim for benefits during the week of December 29, 2013. When he was not called to work by Saturday, he could have filed an on-line claim on Saturday, January 4, 2014, but did not. The claimant did not establish sufficient grounds to excuse the delay in filing his claim for benefits. The claimant's request to backdate his claim is denied.

**DECISION:**

The representative's February 24, 2014 determination (reference 01) is affirmed. The claimant's request to backdate his claim is denied. The effective date of his claim remains as of January 5, 2014.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/css