BEFORE THE
EMPLOYMENT APPEAL BOARD
Lucas State Office Building
Fourth floor
Des Moines, Iowa 50319

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SANDRA J JACOBS	:	
	:	**HEARING NUMBER:** 17BUI-09691
Claimant	:	
	:	
	:	**EMPLOYMENT APPEAL BOARD**
	:	**DECISION**
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N O T I C E

THIS DECISION BECOMES FINAL unless (1) a **request for a REHEARING** is filed with the Employment Appeal Board within **20 days** of the date of the Board's decision or, (2) a **PETITION TO DISTRICT COURT** IS FILED WITHIN **30 days** of the date of the Board's decision.

A REHEARING REQUEST shall state the specific grounds and relief sought. If the rehearing request is denied, a petition may be filed in **DISTRICT COURT** within **30 days** of the date of the denial.

SECTION: 24.2-1A&H1&2

D E C I S I O N

UNEMPLOYMENT BENEFITS ARE DENIED

The Claimant appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds the administrative law judge's decision is correct. The administrative law judge's Findings of Fact and Reasoning and Conclusions of Law are adopted by the Board as its own. The administrative law judge's decision is **AFFIRMED**.

The Board affirms this case. As noted by the Administrative Law Judge, Iowa Workforce Development has amended its backdating regulation and as a result severely limited the grounds for allowing backdating.
Iowa Workforce Development's rule for reactivating a claim changed and became effective on July 16, 2017, but does not specify that the Claimant must *reactivate* her claim no later than 4:00 p.m. The Claimant attempted to reactivate her claim at 8:00 p.m. This case does not fall within the grounds now present in the regulation. Even if the Claimant was simply *continuing* her claim, which had already been opened, regulations provide she must have done so by 4:30 p.m., and in that instance, she would have also been too late. The regulation was passed by Iowa Workforce, and we have no authority to rescind, amend, or strike down that regulation.

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Kim D. Schmett

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Ashley R. Koopmans

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James M. Strohman

AMG/fnv