

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MEGAN J FREITAG
Claimant

APPEAL NO. 15A-UI-03384-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 01/25/15
Claimant: Appellant (1R)

871 IAC 24.2(1) g – Retroactive Benefits

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated March 6, 2015, reference 03, which denied claimant's request for retroactive benefits. After due notice, a telephone conference hearing was scheduled for and held on April 30, 2015. Claimant participated personally.

ISSUE:

The issue in this matter is whether retroactive benefits should be allowed.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant filed a claim for benefits with an effective date of January 31, 2015. Claimant acknowledges that she did work full time the week of January 25, 2015. Unfortunately, as a result of claimant's request for retroactive benefits, claimant stated that her claim has been locked for all periods and she has been unable to receive any benefits payments.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant's request for retroactive benefits is denied, but the court remands this case on the matter of the lock on claimant's benefits.

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.

As claimant worked the week of January 25, 2015 through January 31, 2015, she is not eligible for retroactive benefits for that period.

A further search of IWD records indicates that claimant's unemployment claim is locked for unknown reasons.

DECISION:

The decision of the representative dated March 6, 2015, reference 03, is affirmed and remanded to the fact finder to determine the cause of claimant's lock on her receipt of benefits. To the extent that the lock is occurring as a result of claimant's request for retroactive benefits, said lock shall be removed and claimant shall be eligible for benefits effective January 31, 2015, provided claimant meets all other eligibility requirements.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/css