

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**STEVE C DAVIS**  
Claimant

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**APPEAL 18A-UI-02798-JCT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 02/11/18**  
**Claimant: Appellant (2)**

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

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the February 27, 2018, (reference 01) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was scheduled for March 29, 2018. The claimant participated personally. The administrative law judge took official notice of the administrative records including the fact-finding documents. Based on the evidence, the arguments presented, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Should the claimant's request for retroactive benefits be granted?

**FINDINGS OF FACT:**

The claimant filed an original claim effective February 11, 2018. He visited his local IWD office in Des Moines, Iowa on Friday, February 16, 2018, with the intent of having someone walk him through instructions because he acknowledged he lacks computer proficiency. The claimant was informed the computers were down and was given a sheet of instructions to follow. The claimant then attempted on Monday, February 19, 2018, to follow the instructions and complete his weekly continued claim for the week ending February 17, 2018. The claimant recalled hitting "submit" as directed and as his instruction sheet advised. There was no indication the claimant did not go through. Unbeknownst to the claimant, the claimant was unsuccessful. For the week ending February 17, 2018, the claimant earned \$640.00 in wages. His weekly benefit amount (WBA) is \$455.00.

Because the claimant did not successfully file his weekly continued claim for one week, his claim closed and he was unable to file the claim for the next week ending February 24, 2018. The claimant attempted to file his weekly continued claim for the week ending February 24, 2018. He received a locked out message. When the claimant recognized the issue, he contacted the Iowa Workforce Development (IWD) on February 26, 2018, and was assisted in reopening the claim. The claimant earned no wages for the week ending February 24, 2018. He was able and available for work.

## REASONING AND CONCLUSIONS OF LAW:

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

Iowa Code section 96.6(1) provides:

**96.6 Filing — determination — appeal.**

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 web application 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. Good cause involves circumstances beyond the claimant's control that prevent a claimant from filing a prompt and proper claim.

In this case, the claimant made a good faith effort to timely file his weekly continued claim for the week ending February 17, 2018, and believed it had been successfully transmitted. For unknown reasons, the weekly continued claim failed for the week ending February 17, 2018. When the claimant attempted to file his weekly claim in a timely manner the next week, he was unable to because the claim closed after one week of failing to file a continued weekly claim.

Although the Unemployment Insurance Handbook addresses reactivating a claim, it does not clearly state that a claim will close after only one week of failing to file a continued weekly claim. Even if it did, it would have been technically impossible for the claimant to reopen the claim in order to file a continued weekly claim for the week ending February 24, 2018. The claim did not close until the deadline to make a weekly claim filing-February 23, 2018, at 5:30 p.m. However, the claimant only had until February 23, 2018, at 4:30 p.m. to reopen the claim. In other words, there was no closed claim for the claimant to reopen. There is nothing the claimant could have done to prevent the second missed weekly claim filing.

Based on the evidence presented, the claimant has shown a good cause reason for failing to file his weekly continued claim for the two-week period ending February 24, 2018. Therefore, the claimant's request for retroactive benefits for the two week period ending February 24, 2018, is allowed, provided the claimant is otherwise eligible.

## DECISION:

The February 27, 2018 (reference 01) decision is reversed. The claimant is allowed retroactive benefits for the two-week period ending February 24, 2018, provided he is otherwise eligible.

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Jennifer L. Beckman  
Administrative Law Judge

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Decision Dated and Mailed

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