

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

SONYA L SONN
Claimant

APPEAL 17A-UI-10505-NM-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 06/25/17
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 October 12, 2017, (reference 03) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was scheduled for November 1, 2017. Claimant participated and testified.

ISSUE:

Should the claimant's request for retroactive benefits be granted for the two-week period ending October 7, 2017?

FINDINGS OF FACT:

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: Claimant filed an original claim effective June 25, 2017. Claimant filed her weekly claim online for the week ending September 30, 2017 on Saturday, September 30, in accordance with the procedures that were in place at that time. Claimant received a message stating her submission had been received, just as she had in prior weeks. However, for some unknown reason, the online claim was not processed. Claimant had been able to submit her weekly claim in the same manner prior to this date without issue. When claimant had not received her normal weekly payment by October 6, 2017, she sought assistance from her local office.

Claimant went into her local office on October 10, 2017 in an attempt to resolve the issue. While she was there, claimant asked an employee in the local office for assistance in filing her claim for the week ending October 7, 2017, so she could ensure she was doing it correctly. The employee walked claimant through the process and confirmed he believed her weekly claim was properly submitted. However, the online claim was again not properly processed for some unknown reason. Claimant has since been able to successfully file her weekly claim, in the same manner, without issue. Claimant testified she did receive a notice regarding changes in

the weekly filing process, effective the week ending October 7, 2017, and understood the changes.

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:

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.

The October 2016, and June 2017, versions of the *Unemployment Insurance Benefits Handbook*, provides in pertinent part at pages 13 and 14:

CLAIM EFFECTIVE DATE

The effective date of all UI claims, regardless of filing method, will be the Sunday of the week in which the application was filed.

and

REACTIVATING A CLAIM

An individual can start and stop claiming weekly benefits as many times as necessary during the benefit year. This is called a break in reporting status. Any break in reporting requires the individual to file another initial claim application during the week he/she wants to start collecting benefits again. Any employment during the break must be reported.

The October 2016, and June 2017, versions of the *Unemployment Insurance Benefits Handbook*, provides in pertinent part at pages 19 and 20:

Filing Weekly Claims

How to File

After you file your initial claim, file weekly claims online at iowaworkforcedevelopment.gov for every week you are unemployed or your hours are reduced. You must file a weekly claim for any week that you want payment even if your eligibility is being decided or you have an appeal pending. To request UI benefit payments during weeks of unemployment, individuals must certify they:

- are currently unemployed or working reduced hours
- are able to work and available for work
- have not refused any job offers or referrals to a job
- are actively looking for work (unless waived)
- are reporting any pay or pension payment

When to File

The current week is the week that just ended on Saturday. Individuals are strongly encouraged to file their weekly claims between the hours of 9:00 am

Saturday through 11:30 pm Sunday. Failing to do so can potentially delay benefits. <https://uiclaims.iwd.iowa.gov/weeklyclaims/>¹

IMPORTANT: You will receive confirmation that the claim has been processed successfully. If you don't receive confirmation, the process must be repeated until the claim has been successfully submitted.

Elsewhere in the June 17, 2017, version of the handbook at page 8, contact information includes days and hours for filing a claim and weekly claim reporting:

File a Claim

Hours: Monday through Friday, 8:00 am to 4:30 pm
www.iowaworkforcedevelopment.gov
<https://uiclaims.iwd.iowa.gov/UIInitialClaim/>

Weekly Claim Reporting

Hours: Saturday 9:00 am through Sunday 11:30 pm
www.iowaworkforcedevelopment.gov

Beginning the week ending October 7, 2017, the instructions for filing a weekly claim changed. Claimant received notice of and understood these changes.

The September 2017, version of the *Unemployment Insurance Benefits Handbook*, provides in pertinent part at pages 13 and 14:

Claim Effective Date

The effective date of all UI claims, regardless of filing method, will be the Sunday of the week in which the application was filed. The effective date of a claim will not be changed for applications that were not filed in a timely manner.

and

Reactivating a Claim

An individual can start and stop claiming weekly benefits as many times as necessary during the benefit year. This is called a break in reporting status. Any break in reporting requires the individual to file another initial claim application during the week he/she wants to start collecting benefits again. Any employment during the break must be reported.

The September 2017, version of the *Unemployment Insurance Benefits Handbook*, provides in pertinent part at pages 19 and 20:

Filing Weekly Claims

How to File

After you file your initial claim, file weekly claims online at iowaworkforcedevelopment.gov for every week you are unemployed or your hours are reduced. You must file a weekly claim for any week that you want payment even if your eligibility is being decided or you have an appeal pending.

To request UI benefit payments during weeks of unemployment, individuals must certify they:

- Are currently unemployed or working reduced hours
- Are able to work and available for work

¹ The link was added in the June 2017, handbook and leads to information about a required PIN.

- Have not refused any job offers or referrals to a job
- Are actively looking for work (unless waived)
- Are reporting any pay or pension payment

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Start of UI claim week one						Last day of week one (no filing)
First day to file week one	File for week one	File for week one	File for week one	File for week one	Last day to file for week one	Last day of week two (no filing)
First day to file week two	File for week two	File for week two	File for week two	File for week two	Last day to file for week two	Last day of week three (no filing)
First day to file week three	File for week three	File for week three	File for week three	File for week three	Last day to file for week three	Last day of week four (no filing)

When to File

The current week is the week that just ended on Saturday. Weekly claims must be filed 8 am Sunday through 5:30 pm Friday for the prior week only. This means individuals have six days to file the previous week's claim. See the chart above for the days available to file. Weekly claims can be filed online using a mobile device or computer at <https://uiclaims.iwd.iowa.gov/weeklyclaims/>.

Delay in filing your weekly claim could result in denial of benefits.

IMPORTANT: You will receive confirmation that the claim has been processed successfully. If you don't receive confirmation, the process must be repeated until the claim has been successfully submitted.

Elsewhere in the September 2017, version of the handbook at page 8, contact information includes days and hours for filing a claim and weekly claim reporting:

File a Claim

Hours: Sunday through Friday, 8:00 am to 4:30 pm
www.iowaworkforcedevelopment.gov
<https://uiclaims.iwd.iowa.gov/UIInitialClaim/>

Weekly Claim Reporting

Hours: Sunday 8:00 am – 11:30 pm and Monday through Friday 8:00 am through 5:30 pm
<https://uiclaims.iwd.iowa.gov/weeklyclaims/>

Claimant filed her weekly claim online for the week ending September 30, 2017 on Saturday, September 30, in accordance with the procedures that were in place at that time. For some unknown reason, the claim was not properly processed for that week, or the following week ending October 7, 2017. The failure to file weekly claims for the two-week period ending October 7, 2017, appear to be due to some unknown error in the filing system, rather than through any of the claimant. Claimant's unsuccessful attempts to file continued claims online and resolve the issue by contacting workforce advisors or customer service are considered

good reasons for the delay in filing weekly online web application continued claims. Retroactive benefits are granted.

DECISION:

The October 12, 2017, (reference 03) unemployment insurance decision is reversed. The claimant's request for retroactive benefits is granted.

Nicole Merrill
Administrative Law Judge

Decision Dated and Mailed

nm/rvs