

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ANTHONY V NEUSTROM
Claimant

APPEAL 18A-UI-01421-LJ-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 10/08/17
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 January 25, 2018, (reference 02) unemployment insurance decision that denied the request for retroactive benefits. After due notice was issued, a telephone conference hearing was scheduled for February 23, 2018. Claimant participated. The administrative law judge took official notice of the administrative record.

ISSUE:

Should the claimant's request for retroactive benefits be granted for the one-week period ending January 13, 2018?

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 October 8, 2017, with an additional claim on February 4, 2018. He did not file continued claims by online web application for the one-week period ending January 13, 2018, and did not inquire about the issue of benefit non-payment with Iowa Workforce Development (IWD) until the end of January 2018. Claimant was placed on layoff on Friday, January 5, 2018. The following Monday, claimant went to his local office to reopen his claim for benefits. The following Sunday, January 14, claimant went online on his cell phone to file his weekly claim. Claimant experienced technical difficulties with the website. He believed that his claim was successfully submitted, but evidently it was not successful.

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.

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
- 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/>

Under these circumstances, claimant's belief that his weekly claim filing was successful was reasonable and is considered a good reason for the delay in filing the weekly online web application continued claim. Going forward, claimant is strongly advised to ensure he receives a confirmation message after submitting his weekly claim. Retroactive benefits are granted.

DECISION:

The January 25, 2018, (reference 02) unemployment insurance decision is reversed. The claimant's request for retroactive benefits is granted.

Elizabeth A. Johnson
Administrative Law Judge

Decision Dated and Mailed

lj/scn