

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

KEVIN G RUTH
Claimant

APPEAL 18A-UI-05205-CL-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 04/01/18
Claimant: Appellant (1)**

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 April 24, 2018, (reference 01), unemployment insurance decision that denied claimant's request for retroactive benefits. After due notice was issued, a telephone conference hearing was scheduled to be held on May 22, 2018. Claimant participated.

ISSUE:

Should the claimant's request for retroactive benefits be granted for the two-week period ending April 21, 2018?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed an original claim effective April 1, 2018. He was offered and reviewed a copy of the Unemployment Insurance Benefits Handbook when he filed the claim. Claimant did not file continued claims by online web application for the two-week period ending April 21, 2018. Claimant attempted to file the claims, but believes he was not successful because he did not do so in accordance with the timelines provided in the handbook. By Monday, April 23, 2018, claimant was missing two benefit payments. Claimant went into his local office and was assisted in reopening his claim. He has had assistance in filing his weekly claims and has been successful thereafter.

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.

IMPORTANT: If an individual waits until after the calendar week has ended on Saturday to file a UI claim, the individual will not be eligible to be paid for the prior week.

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 they want to start collecting benefits again. Any employment during the break must be reported. If any weekly claim filing is missed during the claim year, an individual must file an initial claim application to reactivate their claim. This would apply even if 1 week is not filed timely. Refer to the instructions on page 19 of this handbook “Filing Weekly Claim.”

The *Unemployment Insurance Benefits Handbook*, provides in pertinent part at page 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. Payment will not be made for any weeks that are not filed timely. If a weekly claim filing is missed for one or more weeks, a new initial claim application must be filed. It is your responsibility to check the status of your claim during the week to ensure the prior week has been recorded.

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 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/>

REASONING AND CONCLUSIONS OF LAW:

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

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.

Iowa Admin. Code r. 871-24.2(1)g(1) provides:

871-24.2 – Procedures for workers desiring to file a claim for benefits for unemployment insurance.

g. No continued claim for benefits shall be allowed until the individual claiming benefits has completed a continued claim or claimed benefits as otherwise directed by the department.

(1) The weekly continued claim shall be transmitted not earlier than 8 a.m. on the Sunday following the Saturday of the weekly reporting period, unless reasonable cause

can be shown for the delay, not later than close of business on the Friday following the weekly reporting period.

In this case, claimant did not file weekly continued claims because he did not follow the instructions in the Unemployment Insurance Benefits Handbook, which warns on page 20 that, "Payment will not be made for any weeks that are not filed timely." Claimant has not shown reasonable cause for delaying in filing the weekly claims. Therefore, his request for retroactive benefits is denied.

DECISION:

The April 24, 2018, (reference 01) unemployment insurance decision is affirmed. The claimant's request for retroactive benefits for the two weeks ending April 21, 2018, is denied.

Christine A. Louis
Administrative Law Judge
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Decision Dated and Mailed

cal/scn