**Section 2720.105 Time for Filing an Initial Claim for Benefits**

a) An initial claim for benefits should be filed no later than the end of the first week in which the claimant is separated from work. If it is filed later than the week the claimant became separated from work and backdating is not requested, the claim shall begin in the week in which it was filed.

b) If an initial claim is filed later than the end of the first week after the separation, but less than one year thereafter, at the claimant's request the Department will backdate the claim to the appropriate date and determine eligibility for that period if:

1) the claimant shows:

A) The individual's unawareness of his or her rights under the Act;

B) Failure of either the employing unit or the Department to discharge its responsibilities or obligations under the Act or the rules;

C) Any act of any employing unit in coercing, warning or instructing the individual not to pursue his or her benefit rights; or

D) Other circumstances beyond the claimant's control; and

2) The claimant shows he or she filed the claim within 14 days after the reasons for the failure to file no longer existed.

c) A claim with respect to a single week of total or part-total unemployment immediately preceded by a week of partial employment, shall be dated as of the first day of the week of total or part-total unemployment, if the claim is filed within the time limits for filing the claim with respect to the week of partial unemployment (see Section 2720.106).

d) If a claim is filed by any person who is not unemployed at the time of filing, theclaim shall be dated as of the first day of the next following week for which the individual is unemployed. It shall be the obligation of the individual to inform the Department when he or she does become unemployed.

(Source: Amended at 43 Ill. Reg. 6385, effective May 14, 2019)