

CONTENTS

CHAPTER 1 – COVERAGE

In General.....	1-1
Employers	1-2
<i>Table 1-1: Definition of Employer</i>	1-2
Agricultural Labor	1-2
<i>Table 1-2: Agricultural Labor Provisions</i>	1-3
Domestic Service	1-4
<i>Table 1-3: Domestic Service Provisions</i>	1-4
Employer-Employee Relationship	1-5
<i>Table 1-4: Employee: Workers Considered Employees Unless</i>	1-5
Employment	1-7
Location of Employment	1-7
Localization of Work	1-7
Election of Coverage of Services Performed Outside the State	1-8
Coverage of Services Performed Outside the United States.....	1-8
Election of Coverage through Reciprocal Coverage Arrangement.....	1-8
Employment Specifically Excluded.....	1-8
<i>Table 1-5: Significant Miscellaneous Employment Exclusions</i>	1-8
Service for Relatives.....	1-9
Service of Students and Spouses of Students	1-9
<i>Table 1-6: Student Employment Excluded from Coverage</i>	1-10
Service of Patients for Hospitals.....	1-10
Service for Federal Instrumentalities	1-10
Maritime Workers.....	1-10
Voluntary Coverage of Excluded Employment.....	1-10
Self-Employment.....	1-11
Coverage of Officers of Corporations.....	1-11
<i>Table 1-7: Corporate Officers</i>	1-11
Coverage by Reason of a Federal Requirement.....	1-12
Nonprofit Organizations	1-12
<i>Table 1-8: Nonprofit Organizations</i>	1-13
Governmental Entities	1-13
<i>Table 1-9: State and Local Governments</i>	1-13
Indian Tribes.....	1-14
Unemployment Compensation for Federal Civilian Employees and for Ex-Service Members.....	1-14
Unemployment Compensation for Federal Employees (UCFE)	1-14
Unemployment Compensation for Ex-Service Members (UCX)	1-14

CHAPTER 2 – FINANCING

In General.....	2-1
The Federal Tax and the Federal Unemployment Trust Fund (UTF)	2-1
Amount of Tax	2-1
Use of Federal Revenues	2-2
The Unemployment Trust Fund (UTF).....	2-2
State Taxes and Other State Revenues.....	2-3
Employer Taxes	2-3
Employee Taxes.....	2-4
Interest and Penalty Funds	2-4
Taxable Wages.....	2-4

<i>Table 2-1: Taxable Wage Bases</i>	2-4
<i>Table 2-2: Computation of Flexible Taxable Wage Bases</i>	2-5
Experience Rating	2-6
Federal Requirements for Experience Rating	2-6
State Requirements for Experience Rating	2-7
Experience Rating Formulas	2-7
Reserve-Ratio Formula	2-7
<i>Table 2-3 Reserve-Ratio Formula States</i>	2-8
Benefit-Ratio Formula	2-8
<i>Table 2-4: Benefit-Ratio Formula States</i>	2-8
Benefit-Wage-Ratio Formula.....	2-9
<i>Table 2-5: Benefit-Wage-Ratio Formula States</i>	2-9
Payroll Variation Plan.....	2-9
Charging Methods.....	2-10
Charging Most Recent or Principal Employer.....	2-10
<i>Table 2-6: States That Charge Most Recent or Principal Employer</i>	2-10
Charging Base-Period Employers in Inverse Chronological Order	2-10
<i>Table 2-7: States That Charge Base-Period Employers in Inverse Chronological Order</i> ..	2-11
Charging in Proportion to Base-Period Wages	2-11
<i>Table 2-8: States That Charge in Proportion to Base-Period Wages</i>	2-11
Non-Charging of Benefits	2-12
<i>Table 2-9: Benefits Excluded from Charging</i>	2-12
Taxes Payable to Unemployment Fund	2-16
Rates and Rate Schedules	2-16
Minimum and Maximum Rates	2-16
<i>Table 2-10: Fund Requirements and Range of Rates</i>	2-17
Limitation on Rate Increases	2-19
Adjustments	2-19
<i>Table 2-11: Adjustments for Solvency or Social Cost Recoupment</i>	2-20
Computation, Fund Trigger, and Effective Dates and New Employers.....	2-20
<i>Table 2-12: Computation, Fund Trigger, and Effective Dates and New Employers</i>	2-21
Rate Reduction through Voluntary Contributions	2-23
<i>Table 2-13: States Permitting Rate Reduction through Voluntary Contributions</i>	2-23
Transfer of Employers' Experience	2-25
<i>Table 2-14: Transfer of Experience for Employer Rates</i>	2-26
Additional Taxes	2-28
Loan and Interest Repayment Taxes.....	2-28
<i>Table 2-15: States with Loan and Interest Repayment Taxes</i>	2-29
Reserve Taxes	2-30
<i>Table 2-16: States with Reserve Taxes</i>	2-30
Taxes for UI Administration or Non-UI Purposes.....	2-31
<i>Table 2-17: States with Taxes for UI Administration or Non-UI Purposes</i>	2-31
Special Provisions for Financing Benefits Paid to Employees of Nonprofit Organizations, State and Local Governments, and Indian Tribes	2-33
The Reimbursement Option.....	2-33
Special Provisions for State and Local Governments.....	2-34
<i>Table 2-18: Financing Provisions for Governmental Entities</i>	2-34
Bonding Requirements.....	2-36
<i>Table 2-19: States That Require Bond or Deposit of Employers Electing Reimbursing</i>	2-36

CHAPTER 3 – MONETARY ENTITLEMENT

In General.....	3-1
Base Period and Benefit Year	3-1
Benefit Years	3-2
<i>Table 3-1: When Benefit Year Begins – Other than a Week a First Claim is Filed.....</i>	<i>3-2</i>
Base Periods.....	3-2
Alternative Base Periods (ABP)	3-2
Extended Base Periods (EBP).....	3-2
<i>Table 3-2: States with Alternative and Extended Base Periods</i>	<i>3-2</i>
Qualifying Wages or Employment.....	3-4
Multiple of High-Quarter Wages	3-4
Multiple of Weekly Benefit Amount	3-4
Flat Qualifying Amount	3-5
Weeks/Hours of Employment.....	3-5
<i>Table 3-3: Base Period Wage and Employment Requirements for Benefits.....</i>	<i>3-5</i>
Qualifying for a Second Benefit Year.....	3-7
<i>Table 3-4: Wages Needed to Establish New Benefit Year</i>	<i>3-7</i>
Weekly Benefit Amount	3-9
Methods of Computing Weekly Benefits.....	3-9
High-Quarter Method	3-9
Multi-Quarter Method	3-9
Annual-Wage Method	3-9
Average-Weekly-Wage Formula.....	3-9
<i>Table 3-5: Weekly Benefit Amounts</i>	<i>3-10</i>
Automatic Adjustments to Weekly Benefit Amounts.....	3-12
<i>Table 3-6: States with Automatic Adjustment to Benefits Amounts</i>	<i>3-12</i>
Waiting Period	3-14
<i>Table 3-7: States with Initial Waiting Period</i>	<i>3-14</i>
<i>Table 3-8: States with No Waiting Periods</i>	<i>3-16</i>
Benefits for Partial Unemployment.....	3-16
<i>Table 3-9: Partial Unemployment</i>	<i>3-17</i>
Dependents Allowances	3-18
Definition of Dependent	3-18
<i>Table 3-10: Definition of Dependent</i>	<i>3-19</i>
Amount of Weekly Dependents Allowances.....	3-20
<i>Table 3-11: Amount of Weekly Dependents Allowances.....</i>	<i>3-20</i>
Duration of Benefits.....	3-21
<i>Table 3-12: Benefit Entitlement and Duration of Benefits.....</i>	<i>3-22</i>
Seasonal Employment and Benefits.....	3-24
<i>Table 3-13: Seasonal Wage-Credits Available Only During Season</i>	<i>3-25</i>
<i>Table 3-14: Other Seasonal Provisions</i>	<i>3-25</i>
Deductions and Withholding from Benefits.....	3-25
Overpayments	3-25
Child Support	3-25
Overissuances of Food Stamps	3-25
<i>Table 3-15: States with Authority to Deduct Food Stamp Over-Issuances.....</i>	<i>3-26</i>
Income Tax	3-26
<i>Table 3-16: Withholding State and Local Income Tax at Claimant Option</i>	<i>3-26</i>
Healthcare Coverage.....	3-26

CHAPTER 4 – EXTENSIONS AND SPECIAL PROGRAMS

In General.....	4-1
Programs for Extended Duration.....	4-1
Additional Benefits	4-1
<i>Table 4-1: States with Additional Benefits Programs</i>	4-2
Federal-State Extended Benefits (EB)	4-3
Triggers for EB	4-3
<i>Table 4-2: States with Optional Triggers for EB</i>	4-3
Financing of EB	4-4
Special Qualifying Requirements.....	4-4
Reductions in Amount of EB	4-4
<i>Table 4-3: States Reducing EB Payable Pursuant to a Sequester Order</i>	4-4
Trade Readjustment Allowances (TRA).....	4-4
Certification Process	4-5
Qualifying Requirements	4-5
Duration	4-5
Subsistence and Transportation Allowances.....	4-5
Relocation Allowances	4-5
Job Search Allowances	4-5
Short-Time Compensation (Worksharing).....	4-5
<i>Table 4-4: States with Worksharing Programs</i>	4-6
Self-Employment Assistance (SEA) Programs.....	4-7
<i>Table 4-5: States with SEA Programs</i>	4-7
Disaster Unemployment Assistance (DUA)	4-7
Eligibility	4-7
Disaster Assistance Period.....	4-7
Weekly Assistance Amount.....	4-7
Deductions	4-8

CHAPTER 5 – NONMONETARY ELIGIBILITY

In General.....	5-1
Separations	5-1
Voluntarily Leaving Work.....	5-1
Good Cause for Voluntarily Leaving.....	5-2
<i>Table 5-1: Voluntarily Leaving – Must be Connected to Work</i>	5-2
<i>Table 5-2: Voluntarily Leaving – Good Cause</i>	5-2
Other Good Cause Provisions.....	5-4
Good Cause – Relation to Other Laws	5-5
Good Cause and Labor Arrangements.....	5-5
Good Cause and Suitable Work.....	5-6
Good Cause and Jobs for Temporary Service Employers	5-7
<i>Table 5-3: States with Temporary Workers Provisions</i>	5-7
Period of Disqualification.....	5-7
Reduction of Benefit Rights	5-7
<i>Table 5-4: Voluntarily Leaving – Disqualification</i>	5-7
Discharge for Misconduct Connected with the Work.....	5-10
Illegal Drugs and Alcohol.....	5-11
<i>Table 5-5: States with Drug and/or Alcohol Provisions</i>	5-11
Period of Disqualification.....	5-12
<i>Table 5-6: Discharge for Misconduct – Disqualification</i>	5-12
Disqualification for Gross Misconduct.....	5-14
<i>Table 5-7: States with Gross Misconduct Provisions– Disqualification</i>	5-15
Labor Disputes	5-17

Definition of Labor Dispute.....	5-17
Location of the Dispute	5-17
Period of Denial.....	5-17
Exclusion of Individual Workers.....	5-18
<i>Table 5-8: Period of Denial and Workers Excluded</i>	5-18
Nonseparations.....	5-21
Ability to Work.....	5-21
Availability for Work.....	5-21
<i>Table 5-9: States with Special Provisions for Illness or Disability</i>	5-21
Vacations	5-21
Locality.....	5-22
Availability During Training	5-22
Availability for Part-Time Work	5-23
<i>Table 5-10: States with Availability of Part-Time Workers Provisions</i>	5-23
Actively Seeking Work.....	5-24
Refusal of Work.....	5-24
Criteria for Suitable Work	5-24
Distance	5-25
Personal/Family Reasons.....	5-25
Union/Collective Bargaining Issues	5-25
Duration of Unemployment.....	5-26
Period of Disqualification.....	5-26
<i>Table 5-11: Refusal of Suitable Work – Disqualification</i>	5-27
Special Groups	5-29
Students.....	5-29
<i>Table 5-12: Treatment of Students</i>	5-29
School Personnel.....	5-32
Professional Athletes	5-32
Aliens	5-33
Deductible Income	5-33
Wages in Lieu of Notice and Dismissal Payments	5-33
<i>Table 5-13: States with Wages in Lieu of Notice and Dismissal Payments Provisions</i>	5-34
Worker’s Compensation Payments.....	5-35
<i>Table 5-14: States with Worker’s Compensation Provisions</i>	5-35
Vacation Pay, Holiday Pay, and Back Pay	5-35
<i>Table 5-15: States with Holiday Pay, Back Pay and Vacation Pay Provisions</i>	5-35
Retirement Payments	5-37
<i>Table 5-16: Effect of Retirement Payments</i>	5-38
Effect of Social Security Payments.....	5-39
<i>Table 5-17: Effect of Social Security Payments</i>	5-39
Supplemental Unemployment Payments	5-39
Relationship with Other Statutory Provisions	5-40

CHAPTER 6 – OVERPAYMENTS

In General	6-1
Nonfraud Provisions.....	6-1
Waivers	6-1
<i>Table 6-1: Waiver of Nonfraud Overpayments</i>	6-1
Recovery Provisions.....	6-2
<i>Table 6-2: Recover of Nonfraud Overpayments</i>	6-2
Fraud Provisions.....	6-5
Recovery Provisions, Fines, and Criminal Penalties.....	6-5
<i>Table 6-3: Treatment of Fraud</i>	6-5
Disqualification for Misrepresentation.....	6-8

<i>Table 6-4: Disqualification for Fraudulent Misrepresentation</i>	6-9
Write Offs	6-11
<i>Table 6-5: Write Off of Overpayments</i>	6-12

CHAPTER 7 – APPEALS

In General.....	7-1
<i>Table 7-1: States That Do Not Specify That Findings, Conclusions, or Orders of Hearing Officers are Not Binder in Court</i>	7-1
First and Second Stage Appeals	7-1
First Stage Appeals	7-1
Second Stage Appeals.....	7-2
Time Limits for Filing Appeals and Appellate Entities	7-2
<i>Table 7-2: Time Limitations for Appeal and Appellate Entities</i>	7-2
Judicial Review	7-4
<i>Table 7-3: Judicial Review</i>	7-4

CHAPTER 8 – TEMPORARY DISABILITY INSURANCE

In General.....	8-1
Definition of Disability	8-1
Types of Disability Excluded.....	8-2
Uninterrupted Period of Disability.....	8-2
<i>Table 8-1: Definition: Period of Disability</i>	8-2
Coverage	8-2
Financing.....	8-2
Type of Fund.....	8-3
Amount of Contributions	8-3
Financing Benefits for Disability During Unemployment.....	8-3
Administrative Costs.....	8-4
Benefit Provisions	8-4
<i>Table 8-2: Benefit Year and Base Period</i>	8-4
<i>Table 8-3: Qualifying Wages or Employment</i>	8-5
<i>Table 8-4: Weekly Benefit Amount and Duration of Benefits</i>	8-5
<i>Table 8-5: Waiting Period</i>	8-6
Part Weeks of Disability	8-6
<i>Table 8-6: Part Weeks of Disability</i>	8-6
Benefits Under Private Plans	8-7
Survivors' Benefits	8-7
Disqualification and Nonmonetary Eligibility Provisions	8-7
Eligibility Requirements in Addition to Wages	8-7
Relationship to Worker's Compensation	8-7
Effect of Other Types of Income on Eligibility	8-8
Administration.....	8-8

APPENDICES

- Appendix I: Abbreviations Used in this Document
- Appendix II: UI Information On-Line