



March 20, 2009

Cheryl Atkinson, Administrator
USDOL Office of Workforce Security
200 Constitution Avenue NW, Room S-4231
Washington, DC 20210

Re: Application for UI Modernization Incentive Funds: Alternate Base Period Provision

Dear Ms. Atkinson:

Pursuant to section 2003(a) of Public Law 111-5 and corresponding UI Program Letter 14-09, Illinois submits this application for your certification that we are in compliance with the base period provision and thus eligible for our one-third share of UI modernization incentive funds.

Current Illinois law allows for an alternate base period that includes the most recently completed calendar quarter when the claimant cannot meet monetary qualifying requirements using a "regular" base period that excludes the most recent quarter. The relevant statutory language can be found at 820 ILCS 405/237 and is attached.

I certify that the provisions contained in 820 ILCS 405/237 are currently in effect and are not subject to discontinuation under any circumstances other than repeal by the legislature. Illinois expects to use these incentive funds primarily if not exclusively for the payment of unemployment benefits, to improve unemployment trust fund solvency, but may use some for administrative costs as authorized by federal law.

Should you have any questions or require additional information, please contact Jon Gingrich, CFO at 312-793-6255 or Jon.Gingrich@illinois.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Maureen T. O'Donnell", written over a light blue horizontal line.

Attachment

Pat Quinn, Governor
Maureen T. O'Donnell, Director

33 South State Street
Chicago, Illinois 60603-2802
www.ides.state.il.us

(820 ILCS 405/237) (from Ch. 48, par. 347)

Sec. 237. A. "Base period" means the first four of the last five completed calendar quarters immediately preceding the benefit year. Further, any wages which had previously been used to establish a valid claim pursuant to Section 242 and with respect to which benefits have been paid shall not be included in the base period provided for in this subsection.

B. Notwithstanding subsection A, an individual, who has been awarded temporary total disability under any workers' compensation act or any occupational diseases act and does not qualify for the maximum weekly benefit amount under Section 401 because he was unemployed and awarded temporary total disability during the base period determined in accordance with subsection A, shall have his weekly benefit amount, if it is greater than the weekly benefit amount determined in accordance with subsection A, determined by the base period of a benefit year which began on the date of the beginning of the first week for which he was awarded temporary total disability under any workers' compensation act or occupational diseases act, provided, however, that such base period shall not begin more than one year prior to the individual's base period as determined under subsection A. Further, any wages which had previously been used to establish a valid claim pursuant to Section 242 and with respect to which benefits have been paid shall not be included in the base period provided for in this subsection.

C. With respect to an individual who is ineligible to receive benefits under this Act by reason of the provisions of Section 500E during the base periods determined in accordance with subsections A and B, "base period" means the last 4 completed calendar quarters immediately preceding the benefit year. This subsection shall not apply to establish any benefit year beginning prior to January 1, 2008.

D. Notwithstanding the foregoing provisions of this Section, "base period" means the base period as defined in the unemployment compensation law of any State under which benefits are payable to an individual on the basis of a combination of his wages pursuant to an arrangement described in Section 2700 F.

(Source: P.A. 93-634, eff. 1-1-04.)

EMPLOYMENT
(820 ILCS 405/) Unemployment Insurance Act.

(820 ILCS 405/500) (from Ch. 48, par. 420)

Sec. 500. Eligibility for benefits. An unemployed individual shall be eligible to receive benefits with respect to any week only if the Director finds that:

* * *

E. With respect to any benefit year beginning prior to January 3, 1982, he has been paid during his base period wages for insured work not less than the amount specified in Section 500E of this Act as amended and in effect on October 5, 1980. With respect to any benefit year beginning on or after January 3, 1982, he has been paid during his base period wages for insured work equal to not less than \$1,600, provided that he has been paid wages for insured work equal to at least \$440 during that part of his base period which does not include the calendar quarter in which the wages paid to him were highest.