

MONETARY ENTITLEMENT

IN GENERAL

This chapter deals with the monetary requirements of state UI laws, including work history, benefit amounts, and the length of time during which a worker may receive UI.

Although the states have developed many different ways to determine monetary entitlement to UI, there are also many similarities. This chapter discusses the following:

- The wages and employment needed in a “base period” to qualify.
- The period during which UI may be collected, commonly called the “benefit year.”
- Qualifying wage and employment provisions relating to the base period.
- The amount payable for a week of total or partial unemployment.
- Dependents allowances.
- Waiting periods.
- The maximum amount of regular UI which a worker may receive in a benefit year.

Although this chapter analyzes monetary factors separately, the relationship between these factors is complex. In comparing state laws, consideration often needs to be given to these relationships.

BASE PERIOD AND BENEFIT YEAR

As stated above, a worker's benefit rights are determined using wages and employment during a period of time called the base period. Benefits may be paid during a period of time called the benefit year. Workers who exhaust their benefits before the end of a benefit year must wait until a new benefit year is established before they can again draw benefits.

BENEFIT YEARS—The benefit year is a 1-year or 52-week period during which a worker may receive benefits based on a previous period of employment. In all states, the beginning date of the benefit year depends on when a worker first files a “valid claim,” meaning the worker meets minimal wage and employment requirements. In most states, the benefit year begins with the week in which the valid claim is filed. Exceptions are:

WHEN BENEFIT YEAR BEGINS - OTHER THAN WEEK A FIRST CLAIM IS FILED (3 STATES)	
AR	Benefit year begins with the quarter in which a claim is first filed. As a result, the benefit “year” ranges from 40 to 52 weeks.
NY	Benefit year begins on the first Monday after the filing of a valid original claim.
PR	For all agricultural workers, a benefit year begins on a date specified in the law. If an agricultural worker first files a claim toward the end of this uniform benefit year, the worker's benefit rights for that benefit year will expire shortly. Ordinarily, the worker will be eligible for benefits in a new benefit year at the same or a different rate.

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BASE PERIODS—The base period is the time frame during which wages earned and/or hours/weeks worked is examined to determine a worker’s monetary entitlement to UI. Almost all states use the first 4 of the last 5 completed calendar quarters preceding the filing of the claim as their base period. (Although Nebraska has no law provisions for this issue, it uses regulations to establish its base period- first 4 of the last 5 completed calendar quarters). Massachusetts uses the four completed calendar quarters preceding the first day of the benefit year.

Because base period employment and/or earnings are an imperfect proxy for labor market attachment, there are instances when workers with labor market attachment are ineligible for UI benefits. To address this, some states developed substitute definitions of the base period.

Alternative Base Periods (ABP)—A base period consisting of the first 4 of the last 5 completed calendar quarters results in a lag of up to 6 months between the end of the base period and the date a worker becomes unemployed/files a claim. As a result, the worker’s most recent work history is not used when making this determination. Several states use an ABP for workers failing to qualify under the regular base period. For example, if the worker fails to qualify using wages and employment in the first 4 of the last 5 completed calendar quarters, then the state will use wages and employment in the last 4 completed calendar quarters.

Extended Base Periods (EBP)—Several states allow workers who have no wages in the current base period to use older wages and employment under certain conditions. These conditions typically involve illness or injury. For example, a worker who was injured on the job and who has collected worker’s compensation benefits may use wages and employment preceding the date of the worker’s injury to establish eligibility. (Note that some state laws may describe these base periods as “alternative” base periods.)

The following table outlines the options in addition to the standard base period that some states use.

ALTERNATIVE AND EXTENDED BASE PERIODS (24 STATES)			
State	ABP/EBP	State	ABP/EBP
AK	EBP: BP extended up to 4 quarters if claimant was incapable of working during the greater part of a quarter.	NV	EBP: Last 4 quarters preceding BY if 1 quarter has been used in a previous determination, extend the BY up to 1 week if there would otherwise be overlapping of the same quarter in 2 consecutive BPs.
AZ	EBP: Last 4 completed quarters following previous BP when new BY overlaps preceding BY. Also, first 4 of last 5 completed quarters preceding the week a compensable industrial injury began if not qualified under normal base period, if claim is filed within 2 years of beginning of disability.	NH	ABP: Last four completed quarters.
CT	ABP: Last 4 completed quarters. <u>1/</u> EBP: Last 4 completed quarters preceding sickness or disability. <u>1/</u>	NJ	ABP: BP may be one of two alternatives if a worker fails to meet qualifying wage requirements: (1) last 4 completed quarters or (2) last 3 completed quarters, plus any weeks of work in quarter in which claim is filed.
GA	ABP: Last 4 completed quarters. <u>2/</u>	NY	ABP: Last four completed quarters.
ID	EBP: A worker who experienced a temporary total disability may elect a BP of the first 4 of the last 5 completed quarters preceding the disability if the worker filed a claim within 3 years of the disability and no longer than 6 months after the end of the disability.	NC	EBP: Up to 4 quarters, if worker has insufficient wages to establish a claim because of a job related injury for which the worker received workers' compensation. ----- ABP: Last 4 completed quarters
IL	EBP: BP extended up to 1 year if the claimant received temporary total disability under a workers' compensation act or occupational diseases act.	OH	ABP: Last 4 completed quarters.
IN	EBP: Up to 4 quarters preceding the last day the worker was able to work.	OK	EBP: Four quarters prior to regular base period.
IA	EBP: BP extended 3 or more quarters if the worker received workers' compensation or weekly indemnity insurance benefits for 3 or more quarters.	PA	EBP: Last 4 completed quarters immediately preceding the date of the injury if the worker was eligible for workers' compensation during the worker's current BP.

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ALTERNATIVE AND EXTENDED BASE PERIODS (24 STATES)			
State	ABP/EBP	State	ABP/EBP
KS	EBP: Last 4 completed quarters preceding the date of qualifying injury.	RI	ABP: Last 4 completed quarters.
KY	EBP: BP extended up to 4 quarters, if a worker due to job-related injury <u>or</u> if a worker who has received worker's compensation files an UI claim within 4 weeks after having received worker's compensation.	SD	EBP: A worker who received temporary total disability payments under a workers' compensation law may use a BP of the first 4 of the last 5 completed quarters preceding the disability, if a claim is filed within 24 months of the date the disability was incurred.
ME	EBP: BP extended up to 4 quarters if 1 quarter has been used in a previous determination, extend the BY up to 1 week if there would otherwise be overlapping of the same quarter in 2 consecutive BPs. ----- ABP: Last 4 completed quarters.	TX	EBP: If an initial claim is filed within 24 months from the date a worker's illness or injury began or occurred, the BP will be the first 4 of the last 5 completed quarters preceding the illness or injury.
MA	EBP: BP extended up to 52 weeks if claimant received compensation for temporary total disability under a worker's compensation law for more than 7 weeks in BP. ----- ABP: Last 3 quarters, plus any weeks of work in quarter in which claim is filed. (Worker may also elect to use this ABP if it results in a 10% or more increase in WBA.)	VT	ABP: One of two alternatives: (1) last 4 quarters, or, if still ineligible, (2) last 3 quarters plus any weeks of work in quarter in which claim is filed.
MI	ABP: Last 4 completed quarters if individual fails to meet qualifying wage requirements.	WA	ABP: Last 4 completed quarters.
MN	EBP: Up to 4 quarters depending on length of time a worker received compensation for temporary disability under a worker's compensation law.	WI	ABP: Last 4 completed quarters.
MT	EBP: Up to 4 quarters preceding the disability if the claim was filed within 24 months from the date of the worker's disability.		
1/ Provision is active from January 1, 2003 until December 31, 2005.			
2/ Provision is active from January 1, 2003 until June 30, 2004.			

QUALIFYING WAGES OR EMPLOYMENT

All states require a worker to have earned a certain amount of wages or to have worked for a certain period of time (or both) within the base period to be monetarily eligible to receive any UI benefits. However, the methods that states use to make this determination vary greatly.

MULTIPLE OF THE WEEKLY BENEFIT OR HIGH-QUARTER WAGES

Multiple of High-Quarter Wages—Under this method, workers must earn a certain dollar amount in the quarter with the highest earnings of their base period. Workers must also earn total base-period wages that are a multiple—typically 1.5 of the high quarter wages. For example, if a worker earns \$5,000 in the high quarter, the worker must earn another \$2,500 in the rest of the base period. States require earnings in more than one quarter to minimize the likelihood that workers with high earnings in only one quarter receive benefits. Although monetarily eligible, those workers wouldn't be substantially attached to the labor market.

Multiple of Weekly Benefit Amount—Under this method, the state first computes the worker's weekly benefit amount. The worker must have earned a multiple—often 40—of this amount during the base period. For example, if a worker's weekly benefit amount equals \$100, then the worker will need base period earnings of 40 times \$100—or \$4,000—before any UI would be paid. Most states also require wages in at least two quarters. Some states have weighted schedules that require varying multiples for varying weekly benefits.

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The following table provides information on the qualifying formulas used by states that utilize a “multiple” method:

MULTIPLE OF WEEKLY BENEFIT AMOUNT/HIGH QUARTER (42 STATES)			WAGES NEEDED FOR MINIMUM BENEFIT	
State	Wages	Distribution of wages	Base period \$	High quarter \$
AL	1-1/2 x HQW.	2 quarters.	2,136.02	1,068.01
AZ	1-1/2 x HQW; alternative flat-amount requirement is: wages in 2 quarters of BP, wages in 1 quarter sufficient to qualify for the maximum WBA and total BP wages equal to or greater than the taxable wage base (\$7,000).	2 quarters.	1,500	1,000
AR	27 x WBA.	2 quarters.	1,539	384.75
CA	Either \$1,300 in HQ or \$900 in HQ with BP wages equal to 1.25 x HQ.		1,125	900
CO	40 x WBA or \$2,500, whichever is greater.		2,500	
CT	40 x WBA or 1-1/2 x HQW.	2 quarters.	600	
DE	36 x WBA; if claimant failed to meet qualifying requirement for WBA computed on HQW but does meet the qualifying requirement for next lower bracket, is eligible for lower WBA, 5 brackets.		720	965
DC	1-1/2 x HQW.	2 quarters.	1,950	1,300
FL	1-1/2 x HQW.	2 quarters.	3,400	2,266
GA	150% of HQW; wages in 2 quarters of BP and total BP wages of 40 x WBA.	2 quarters.	1,404	936
HI	26 x WBA.	2 quarters.	130	
ID	1-1/4 x HQW; the minimum qualifying amount of wages (will be determined on July 1 and must equal 50% of the state minimum wages multiplied by 520 hrs.) in 1 quarter of the BP and total BP wages of at least 1-1/4 x HQ wages.	2 quarters.	1,657	1,326
IA	HQ 3.5% of the statewide AAW and 1-1/4 times the HQ.	2 quarters.	1,230	
KS	30 x WBA.	2 quarters.	2,490	
KY	1-1/2 x HQW.	8 x WBA in last 2 quarters and \$750 outside HQ.	1,500	750
LA	1-1/2 x HQW.	2 quarters.	1,200	800
MD	1-1/2 x HQW; If claimant failed to meet qualifying requirement for WBA computed on HQW but does meet the qualifying requirement for next lower bracket, is eligible for lower WBA, stepdown of 6 brackets; The multiple (1-1/2) is not applied to the worker's HQW, but the qualifying amount, shown in a schedule, is computed at the upper limit of each wage bracket (assuming a normal interval at the maximum benefit amount).	2 quarters.	864	576
MA	30 x WBA.		2,700	
MI	1-1/2 x HQW; alternative flat-amount requirement 14 weeks employment and BP wages equal to 20 times the state AWW.	2 quarters.	2,997	1,998
MN	\$1,000 in HQ and \$250 in remaining 3 quarters.	2 quarters.	1,250	1,000
MS	40 x WBA.	2 quarters.	1,200	780 <u>6</u> /
MO	1-1/2 x HQW; alternative flat-amount requirement is: wages in 2 quarters of BP of 1-1/2 x maximum taxable wage base for that year, or \$1,000 in 1 quarter.	2 quarters.	1,500	1,000
MT	(1) 1-1/2 x HQW with total BP wages equaling 7% of the AAW, or (2) 50% of AAW.	2 quarters.	1,597	1,065
NV	1-1/2 x HQW or wages in 3 of the 4 quarters in the BP.	2 quarters.	600	400

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MULTIPLE OF WEEKLY BENEFIT AMOUNT/HIGH QUARTER (42 STATES)			WAGES NEEDED FOR MINIMUM BENEFIT	
State	Wages	Distribution of wages	Base period \$	High quarter \$
NM	1-1/4 x HQW.	2 quarters.	1,716	1,420.12
NY	1-1/2 x HQW.	2 quarters.	2,400	1,600
NC	1-1/2 x HQW.	2 quarters.	3,586.26	2,376
ND	1-1/2 x HQW.	2 quarters.	2,795	1,863
OK	1-1/2 x HQW; alternative flat-amount requirement \$10,500 in BP.	2 quarters.	1,500	1,000
OR	1-1/2 x HQW; alternative flat-amount requirement 500 hrs. of employment in the BP.	2 quarters.	1,000	666
PR	40 x WBA; if claimant failed to meet qualifying requirement for WBA computed on HQW but does meet the qualifying requirement for next lower bracket, is eligible for lower WBA, unlimited stepdown provision. PR has a flat qualifying requirement for agricultural workers.	2 quarters.	280	75
RI	1-1/2 x HQW; 200 x minimum hourly wages in 1 quarter and BP wages of 1-1/2 x HQ, however, the BP wages must be at least 400 x the minimum hourly wage.	2 quarters.	2,060	1,030
SC	1-1/2 x HQW.	2 quarters.	900	540
SD	20 x WBA must be outside high quarter.	20 x WBA outside HQ.	1,288	728
TN	40 x WBA.	6 x WBA or \$900 outside HQ.	1,560	780
TX	37 x WBA.	2 quarters.	1,887	
UT	1-1/2 x HQW or 20 weeks of insured work, with 5% of the monetary BP wage requirement (8% of state average fiscal year wages in BP, rounded to the higher \$100) in each week.	2 quarters.	2,300	1,554
VT	\$1,231 in a quarter and BP wages of at least 40% of the total HQ wages, also the HQ wages will be adjusted by a percentage increase equal to the percentage increase in the state minimum wage for the prior year.	2 quarters.	1,723	1,231
VA	50 x WBA.	2 quarters.	2,950	
VI	1-1/2 x HQW; alternative flat-amount requirement \$858 in HQ and 39 x WBA in BP.	2 quarters.	1,287	858
WI	30 x WBA.	4 x WBA outside HQ.	1,380	1,150
WY	1.4 x HQW.	2 quarters.	2,100	525

FLAT QUALIFYING AMOUNT

States using this method require a certain dollar amount of total wages to be earned during the base period. This method is used by most states with an annual-wage requirement for determining the weekly benefit and by some states with a high-quarter-wage/weekly benefit requirement. Information about states that use a flat qualifying amount is found in the table below.

FLAT QUALIFYING FORMULA (7 STATES)			WAGES NEED FOR MINIMUM BENEFIT	
State	Wages	Distribution of wages	Base period \$	High quarter \$
AK	Flat	2 quarters.	1,000	
IL	Flat	\$440 in quarter outside HQ.	1,600	
IN	Flat	\$1,650 in last 2 quarters.	2,750	825

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FLAT QUALIFYING FORMULA (7 STATES)			WAGES NEED FOR MINIMUM BENEFIT	
State	Wages	Distribution of wages	Base period \$	High quarter \$
ME	Flat	2 x AWW in each of 2 different quarters with total wages of 6 x AWW.	3,120	
NE	Flat	\$800 in each of 2 quarters.	1,600	800
NH	Flat	\$1,400 in each of 2 quarters.	2,800	
WV	Flat	2 quarters.	2,200	

WEEKS/HOURS OF EMPLOYMENT

Under this method, the worker must have worked a certain number of weeks/hours at certain weekly/hourly wage.

WEEKS/HOURS QUALIFYING FORMULA (4 STATES)				WAGES NEEDED FOR MINIMUM BENEFIT	
State	Employment	Wages	Distribution of wages	Base period \$	High quarter \$
NJ	20 weeks at 20 x minimum wage; or 1000 times the state minimum hourly wage, or 770 hours in the production and harvesting of agricultural crops.	20% of state AWW.	2 quarters.	2,060	
OH	20 weeks, with wages averaging 27.5% of the state AWW.		2 quarters.	2,640	
PA	16 weeks.	37-40 x WBA.	2 quarters.	1,320	800
WA	680 hours.				

QUALIFYING FOR A SECOND BENEFIT YEAR

Since the standard base period established by the states' laws results in a significant lag between the end of the base period and the establishment of a benefit year, a worker could conceivably use lag-period wages and employment to qualify for 2 consecutive benefit years during one long unemployment spell (after benefits are exhausted and the first benefit year ended). As a result, all states limit the use of lag-period wages for the purpose of establishing a second benefit year. They all require intervening employment between the wages earned during the lag period and the commencement of a new benefit year. In short, workers must earn wages after the beginning of the first benefit year—either in addition to any lag period wages or as part of the usual base-period wages needed to establish a benefit year. In many states the amount a worker must earn in order to establish a second benefit year is expressed as a multiple (from 3 to 10) of the weekly benefit amount. A few states require a worker to earn wages sufficient to meet the minimum qualifying requirement. In addition, some states specify that the wages needed to requalify must be earned in covered employment.

WAGES NEEDED TO ESTABLISH NEW BENEFIT YEAR (AMOUNT TIMES WBA UNLESS INDICATED)									
State	Subsequent to beginning of preceding benefit year	Subsequent to date of last valid claim	Other	Wages must be in insured work	State	Subsequent to beginning of preceding benefit year	Subsequent to date of last valid claim	Other	Wages must be in insured work
AL	8			X	NE			Insured work in 4 weeks.	X
AK	8				NV	3			
AZ	8				NH	<u>1</u>			

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WAGES NEEDED TO ESTABLISH NEW BENEFIT YEAR (AMOUNT TIMES WBA UNLESS INDICATED)									
State	Subsequent to beginning of preceding benefit year	Subsequent to date of last valid claim	Other	Wages must be in insured work	State	Subsequent to beginning of preceding benefit year	Subsequent to date of last valid claim	Other	Wages must be in insured work
AR	3			X	NJ	4 weeks of employment.			
CA			Qualifying wages with in preceding BY.		NM	5			
CO	\$2,000				NY	5			
CT	5, or \$300, whichever is greater.			X	NC	10			X
DE		10		X	ND		10		X
DC	10				OH			3 x AWW and covered employment in 6 weeks.	
FL	3				OK	10			X
GA	10			X	OR	6			
HI	5				PA	6			
ID	5-1/2; wages must be in bona fide work.				PR	3; for at least one CQ; but not < \$50.			X
IL	3				RI	80 x the minimum hourly wage.			
IN	8			X	SC	8			Insured work; must be with a single employer
IA	\$250			X	SD	4			X
KS	8			X	TN	5			X
KY			8; last 2 quarters of BP.		TX	6			
LA	6; or 3/13th of HQW, whichever is lesser.			X	UT	6			X
ME	8			X	VT	4			
MD	10			X	VA	30 days work or 240 hours.			
MA	3				VI	6			
MI <u>1/</u>					WA	6			
MN	8			X	WV	8			X
MS	8			X	WI	8			X

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WAGES NEEDED TO ESTABLISH NEW BENEFIT YEAR (AMOUNT TIMES WBA UNLESS INDICATED)									
State	Subsequent to beginning of preceding benefit year	Subsequent to date of last valid claim	Other	Wages must be in insured work	State	Subsequent to beginning of preceding benefit year	Subsequent to date of last valid claim	Other	Wages must be in insured work
MO		5; 10 x WBA in non-covered work.		X	WY	8			
MT	6; or 3/13th of HQW, whichever is lesser.			X					
<u>1/</u> No additional requirement since the lag period, if any, between BP and BY is too short to qualify for a second BY.									

BENEFITS BASED ON WORK WHEN MORE THAN ONE STATE IS INVOLVED

Benefits Based on Work in a State Other than the One Where the Claims is Filed—When a worker regularly commutes to a different state for work or moves to a different state to find work, the circumstances necessitate the ability to file a claim in a state in which you do not have base period or more recent earnings. The Interstate Benefit Payment Plan permits payment of UI benefits from the state in which a worker has qualifying wages even though the worker is not physically present in that state. Determinations on eligibility, disqualifications, and the amount and duration of benefits are made by the state where the wages were paid.

Benefits Based on Work in More Than One State—Often, workers who work in more than one state during the base period will not have sufficient wages in any one state in which they worked to become monetarily eligible to receive UI benefits or would be eligible for only a small weekly benefit amount. As a result, since 1970, federal law has required states to participate in a wage-combining arrangement. Under this arrangement, the worker elects to combine the wages earned in two or more states into a single claim. The law of a single state - the state in which the claim is filed - is used to determine eligibility. For example, if the worker has earned wages in Illinois and Indiana, the worker may elect to file a combined wage claim using Illinois’ law if the claim is filed in Illinois. Because of the potential of subsequently establishing more than one benefit year in more than one state, federal regulations stipulate that, wages transferred from one state to a second state for use in establishing a financially eligible combined wage claim in that second “paying” state can not be used twice to establish monetary eligibility.

WEEKLY BENEFIT AMOUNT

After determining if a worker has sufficient wages and/or employment to qualify for UI benefits, it is necessary to determine what the weekly benefit amount - the amount payable for a week of total unemployment - will be. As previously mentioned, UI is intended to provide partial wage replacement. For this reason, all workers do not receive the same benefit amount. States replace, on average, 50% of workers’ lost wages up to a certain limit (usually the average weekly wage in the state). As a result, states tend to replace a higher percentage of low wage workers income than they do for high wage workers. All state laws use base period wages to determine what the weekly benefit amount will be. Several states provide dependents allowances. All states round weekly benefits to an even dollar amount.

States determine eligibility for UI on the basis of the calendar week (Sunday through the following Saturday). In many states, the claims week is adjusted to coincide with the employer's payroll week when a worker files a benefit claim for partial unemployment.

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METHODS OF COMPUTING WEEKLY BENEFITS

As with qualifying wages, states utilize a variety of methods to determine a worker's weekly benefit amount.

High-Quarter Method—More than half the states determine the weekly benefit amount by using the base period quarter in which wages were highest. This quarter is viewed as the period most nearly reflecting full-time work for the worker. By dividing this amount by 13 - the number of weeks in a calendar quarter - the average weekly wage is calculated. Based on the percent of the weekly wage the state intends to replace, the weekly wage is divided and the weekly benefit amount is calculated. For example, a worker who earns \$2,600 in the high quarter has an average weekly wage of \$200 a week (\$2,600 divided by 13). If the state replaces ½ of the average weekly earnings, the weekly benefit amount is \$100. To simplify the calculations, states determine the “overall” multiple of the high quarter wages to determine the weekly benefit amount. In the above example, it would be 1/26 (1/13 times ½) (Note that this formula is used by all states also using a multiple of high-quarter wages to establish a benefit year.) 1/26 is the most common multiple used by states.

Since even the quarter of highest earnings may include some unemployment, some states use a fraction generating a higher weekly benefit (e.g., 1/23). Some states use a weighted schedule, which gives a greater proportion of the high-quarter wages to lower-paid workers than to those earning more. In these states, the maximum fraction varies from 1/11 to 1/26 while the minimum varies from 1/23 to 1/33.

In Pennsylvania, a worker's weekly benefit amount is based on a weighted schedule, or 50 percent of the worker's full-time wage, if that amount is greater. Iowa's benefit schedule is a variation of this concept in which the fraction of high-quarter wages used ranges from 1/19 to 1/23, depending on the number of dependents the worker has.

HIGH-QUARTER FORMULA (33 STATES)					Minimum wage credits required			
					For minimum		For maximum	
State	Method of computing	Rounding to	Minimum weekly benefit $\frac{1}{}$ \$	Maximum weekly benefit $\frac{1}{}$ \$	High quarter \$	Base period \$	High quarter \$	Base period \$
AZ	1/25	Nearest \$	44	205	1,000	1,500	5,112.50	7,000
AR	1/26	Lower \$	57; minimum computed annually at 12% of AWW.	333	384.75	1,539	8,346	15,667
CA	1/23-1/33. If HQ wages exceed \$4,966.99, the maximum WBA will be 39 percent of these wages divided by 13.	Higher \$	40	370	900	1,125	7,590	9,487
CO	60% of 1/26 of 2 highest consec. quarters, capped by 50% of avg. weekly earnings (low formula). If max allowed under this formula is met, a 2 nd formula is applied. 50% of 52 weeks of earnings, capped by 55% of avg. weekly earnings (high formula) Claimant receives the higher of the two amounts.	Lower \$	25	354 (low formula) 390 (high formula)	1,083 for the 2 consecutive quarters combined. <u>2</u>	2,500	15,340 for the 2 consecutive quarters combined <u>2</u>	15,340 <u>2</u>
DC	1/26 + DA.	Lower \$	50	309	1,300	1,950	8,034	12,051
FL	1/26	Lower \$	32	275	850	3,400	7,150	10,725
HI	1/21	Higher \$	5	371	32	130	7,791	9,646

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HIGH-QUARTER FORMULA (33 STATES)					Minimum wage credits required			
					For minimum		For maximum	
State	Method of computing	Rounding to	Minimum weekly benefit $\frac{1}{\$}$	Maximum weekly benefit $\frac{1}{\$}$	High quarter \$	Base period \$	High quarter \$	Base period \$
ID	1/26	Lower \$	51	315	1,326	1,657	8,190	10,237.50
IN	Computed as 5 percent of the first \$2,000 in HQ wages and 4 percent of the remaining HQ wages.	Lower \$	50	312	825	2,750	7,300	29,200
IA	1/19 - 1/23	Lower \$	42 - 51	283-347	940	1,410	6,365	7,956
KS	4.25%	Lower \$	83; minimum computed annually at 25% of maximum WBA.	333	Minimum computed annually at 25% of maximum WBA.	2,490	7,835	9,990
ME	1/22 + DA.	Lower \$	47 - 70	272 - 408	1,019	3,058	5,830	17,082
MD	1/24 + DA.	Higher \$	25 - 50	310; same maximum with or without dependents.	600	900	6,720	10,080
MA	1/21-1/26	Lower \$	29 - 43	512-768	567	2,700	13,312	15,360
MI	4.1%	Lower \$	81 - 111	362	1,998	2,997	7,318	10,977
MN	The higher of 50% of the worker's AWW in the BP to a max. of 66-2/3% of the state AWW, or 50% of the worker's AWW during the HQ to a max. of 50% of the state's AWW, or \$331, whichever is higher.	Lower \$	38	331-427	1,000	1,250	8,606	10,757
MS	1/26	Lower \$	30	200	780	1,200	4,940	7,600
MO	4.0%	Lower \$	40	250	1,000	1,500	6,250	9,375
NV	1/25	Lower \$	16	301	400	600	7,525	11,287
NM	1/26	Lower \$	54; minimum computed annually at 10% of AWW.	286	1,300	1,522	6,942	8,255
NY	1/26; 1/25 if less than \$3,575.	Nearest \$	40	405	1,600	2,400	9,490	14,235
NC	1/26	Lower \$	15	396	565	848	9,750	14,625
OK	1/23	Lower \$	16	304	1,000	1,500	6,693	10,039
PA	1/23 - 1/25	Lower \$	35 - 43	430-438	800	1,320	9,312	14,920
PR	1/11 - 1/26	Lower \$	7	133	75	280	3,442	5,320
RI	4.62%	Lower \$	56-106	415-518	1,030	2,060	8,600	12,900
SC	1/26	Lower \$	20	278	540	900	6,734	10,101
SD	1/26	Lower \$	28	234	728	1,288	6,084	10,764
TX	1/25	Higher \$	51	319	1,257	1,887	7,951	11,803

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HIGH-QUARTER FORMULA (33 STATES)					Minimum wage credits required			
					For minimum		For maximum	
State	Method of computing	Rounding to	Minimum weekly benefit $\frac{1}{2}$ \$	Maximum weekly benefit $\frac{1}{2}$ \$	High quarter \$	Base period \$	High quarter \$	Base period \$
UT	1/26	Lower \$	23	312	575	2,300	9,230	13,845
VI	1/26	Lower \$	32	331	858	1,287	8,606	12,909
WI	4.0%	Nearest \$	48; minimum computed twice yearly; 19% of max. WBA.	324	1,150	1,380	7,825	9,390
WY	4.0%	Lower \$	20	283		2,100	7,075	9,905

1/ When 2 amounts are given, higher figure includes dependents allowance. Augmented amount for minimum WBA includes allowance for 1 dependent child. Augmented amount for maximum WBA includes allowances for maximum number of dependents.

2. These amounts are correct for the low formula only. High formula does not consider quarterly figures.

Multi-Quarter Method—Under this method, the weekly benefit amount is calculated as a multiple of the average quarterly wages paid in more than one quarter. This approach is viewed as being more likely to reflect a worker's usual full-time employment pattern since it surveys a greater period of time rather than just focusing on the quarter with highest earnings.

MULTI-QUARTER FORMULA (11 STATES)					Minimum wage credits required			
					For minimum		For maximum	
State	Method of computing	Rounding to	Minimum weekly benefit $\frac{1}{2}$ \$	Maximum weekly benefit $\frac{1}{2}$ \$	High quarter \$	Base period \$	High quarter \$	Base period \$
AL	1/24	Higher \$	45	210	1,080	2,160	4,560	9,120
CT	1/26; WBA for covered construction workers is computed as 1/26 of HQ wages but not less than \$15.	Lower \$	15 - 30	406 - 481	150	600	9,932	19,864
DE	1/46 of wages earned in highest 2 quarters if the trust fund balance is at least \$90 million or as 1/52 of wages earned in 2 highest qtrs. if the trust fund balance is less than \$90 million.	Lower \$	20	330 <u>3/</u>	965	965	6,900	13,800
GA	1/46; computed as 1/23 of HQ wages when alternative qualifying wages are used.	Lower \$	40	295	936	1,404	6,576	9,864
IL	49.5% of the claimant's wages in highest 2 quarters divided by 26.	Next higher \$	51-56	326 - 431	1,160	1,600	8,535	17,069
LA	1/25 of the 4 quarters of the BP.	Lower \$	10	258; maximum WBA is computed annually at 66 2/3% of state-wide AWW.	800	1,200	5,375	8,062
ND	1/65 of total wages earned in highest 2 quarters and 1/2 of total wages in third quarter.	Lower \$	43	290	1,118	2,795	7,540	28,275
TN <u>2/</u>	1/26	Lower \$	30	275	780	1,560	5,720	11,440

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MULTI-QUARTER FORMULA (11 STATES)					Minimum wage credits required			
					For minimum		For maximum	
State	Method of computing	Rounding to	Minimum weekly benefit $\frac{1}{\$}$	Maximum weekly benefit $\frac{1}{\$}$	High quarter \$	Base period \$	High quarter \$	Base period \$
VT	Computed as wages in the 2 highest quarters divided by 45 (not to exceed the maximum WBA)	Nearest \$	No minimum	351	No minimum	No minimum	2 highest quarters divided by 45 (not to exceed the maximum WBA)	12,375
VA	1/50	Higher \$	59	318	1,500	2,950	6,700	13,400
WA	1/25	Lower \$	106; minimum computed annually at 15% of AWW.	496	2,350	4,700	11,025	22,050

1/ When 2 amounts are given, higher figure includes dependents allowance. Augmented amount for minimum WBA includes allowance for 1 dependent child. Augmented amount for maximum WBA includes allowances for maximum number of dependents.

2/ A worker will not be eligible for benefits if the BP earnings outside HQ are less than the lesser of 6 x WBA or \$900.

3/ If the trust fund balance is less than \$200 million but greater than \$165 million the max. WBA will be \$265, if the fund balance is less than \$165 million but more than \$150 million the max. WBA will be \$245, if the trust fund balance is less than \$150 million but equal to or greater than \$90 million the max. WBA will be \$225, and if the trust fund balance is less than \$90 million the max. WBA will be \$205

Annual-Wage Method—Several states compute the weekly benefit as a percentage of annual wages in the base period. This approach reflects the view that annual wages determine the worker's standard of living. Most states use a weighted schedule which gives a larger proportion of annual wages to the lower-paid workers to determine their weekly benefit amount.

ANNUAL-WAGE FORMULA (6 STATES)					Minimum wage credits required			
					For minimum		For maximum	
State	Method of computing	Rounding to	Minimum weekly benefit $\frac{1}{\$}$	Maximum weekly benefit $\frac{1}{\$}$	High quarter \$	Base period \$	High quarter \$	Base period \$
AK	4.4%-0.9%	Nearest \$	44 - 68	248-320		1,000		26,750
KY	1.3078%	Nearest \$	39	329	750	1,500		21,561
MT	1.0%	Lower \$	68; minimum computed annually at 15% of AWW.	286		1,440		23,700
NH	1.0% - 1.1%	Nearest \$	32	372	1,400	2,800		28,500
OR	1.25%	Lower \$	93; minimum computed annually at 15% of AWW.	400		1,000		26,320
WV	1% of median wages in worker's wage class.	Lower \$	24	\$351		2,200		31,900

1/ When 2 amounts are given, higher figure includes dependents allowance. Augmented amount for minimum WBA includes allowance for 1 dependent child. Augmented amount for maximum WBA includes allowances for maximum number of dependents.

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Average-Weekly-Wage Formula—Several states compute the weekly benefit as a percentage of the worker’s average weekly wages in the base period.

AVERAGE-WEEKLY-WAGE FORMULA (3 STATES)					Minimum wage credits required			
					For minimum		For maximum	
State	Method of computing	Rounding to	Minimum weekly benefit 1/ \$	Maximum weekly benefit 1/ \$	High quarter \$	Base period \$	High quarter \$	Base period \$
NE	1/2 AWW.	Lower \$	36	262	800	1,600	6,812	7,612
NJ	60% + DA.	Lower \$	61-77	475; same maximum with or without dependents.		2,060		15,833
OH	50 + DA.	Lower \$	85	308 - 414		2,640		10,680

1/ When 2 amounts are given, higher figure includes dependents allowance. Augmented amount for minimum WBA includes allowance for 1 dependent child. Augmented amount for maximum WBA includes allowances for maximum number of dependents.

AUTOMATIC ADJUSTMENTS TO WEEKLY BENEFIT AMOUNTS

In those states where UI is intended to replace a specific percent of wages up to a fixed percent of the state’s average weekly wage, the calculation of benefit entitlement is determined by the state’s average weekly wage. Because wages increase, states recalculate the average weekly wage periodically to update the benefits schedule and continue to replace the desired percent of a worker’s lost wages. The maximum weekly benefit amount is usually more than 50 percent of the average weekly wage in covered employment within the state during a recent 1-year period. In most states, the minimum weekly benefit is an amount specified in the law. However, some states’ laws link the minimum weekly benefit amount with their average weekly wage as well. The following table includes information only for states that link the minimum weekly benefit amount with their average weekly wage.

AUTOMATIC ADJUSTMENT TO BENEFITS AMOUNTS (34 STATES)								
State	Method of Computation					% of state AWW		Effective date of new amounts
	Annually as % of AWW in covered employment in:			Semiannually as % of AWW in covered employment in:		Maximum	Minimum	
	Preceding CY	12 months ending March 31	12 months ending June 30	12 months ending 6 months before effective date	All industries in state			
AR	X					55 (high formula)	50 (low formula)	July 1
CO					X	55		July 1
CT			X			60; based on AWW of production and related workers. May not be increased by more than \$18 in any year.		1 st Sunday in Oct.
DC		X				50		Jan. 1
HI			X			70		Jan. 1
ID	X					60		1 st Sunday in July

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AUTOMATIC ADJUSTMENT TO BENEFITS AMOUNTS (34 STATES)								
State	Method of Computation					% of state AWW		Effective date of new amounts
	Annually as % of AWW in covered employment in:			Semiannually as % of AWW in covered employment in:		Maximum	Minimum	
	Preceding CY	12 months ending March 31	12 months ending June 30	12 months ending 6 months before effective date	All industries in state			
IL	X					49.5; for claimants with dependents, maximum is limited to 66-2/3% of state's AWW, which is based on percentage changes from year to year. Maximum for claimants with dependents is limited to 65.5% of state's AWW.		Jan. 1
IA	X					53; for claimants with no dependents. For claimants with dependents, ranges from 55 to 65%.		1 st Sunday in July
KS	X					60	25% of max WBA	July 1
KY	X					62; cannot increase in any year when tax schedule increases from previous year. Year-to-year increases limited depending on fund balance.		July 1
LA		X				66-2/3		Sept. 1
ME	X					52		June 1
MA		X				57.5		1 st Sunday in Oct.
MN	X					Higher of 50% of the worker's AWW in the BP to a maximum of 66-2/3% of the state AWW; or 50% of the worker's AWW during the HQ to a maximum of 50% of the state AWW, or \$331, whichever is higher.		August 1
MT	X					60	15	July 1
NV	X					50		July 1
NJ	X					56-2/3		Jan. 1
NM			X			50	10	1 st Sunday in Jan.
NC	X					66-2/3		August 1
ND	X					62; 65% of state AWW if trust fund reserves on Oct. 1 are equal to or greater than the required amount and the state's average contribution rate is below the nationwide average for the preceding year.		1 st Sunday in July
OH			X			Percentage used is not specified by law.		1 st Sunday in Jan.
OK	X					The greater of \$197 or 60%, 57.7%, 55%, 52.5% or 50% of state AWW of the second preceding CY, depending on the condition of the fund.		July 1
OR	X					64	15	Week of July 4
PA			X			66-2/3		Jan. 1

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AUTOMATIC ADJUSTMENT TO BENEFITS AMOUNTS (34 STATES)								
State	Method of Computation					% of state AWW		Effective date of new amounts
	Annually as % of AWW in covered employment in:			Semiannually as % of AWW in covered employment in:		Maximum	Minimum	
	Preceding CY	12 months ending March 31	12 months ending June 30	12 months ending 6 months before effective date	All industries in state			
PR	X					50		July 1
RI	X					67		July 1
SC	X					66-2/3		July 1
SD	X					50		July 1
UT			X			65		Jan. 1
VT	X					Percentage not specified by law.		1 st Sunday in July
VI			X			50		Jan. 1
WA	X					70	15	1 st Sunday in July
WV	X					66-2/3		July 1
WY	X					55	4	July 1

WAITING PERIOD

Workers who are otherwise eligible for benefits must first serve a waiting period in most states. In most states, the waiting-period requirement for weeks of partial unemployment is the same as for weeks of total unemployment. The waiting period is served in or with respect to a particular benefit year. Special provisions may exist for successive benefit years. (When a worker, after intervening employment, has an additional spell of unemployment that continues beyond the end of the first benefit year, the worker may not have to serve another waiting week if he is monetarily eligible for benefits in the second year.)

INITIAL WAITING PERIOD IN WEEKS (40 STATES)							
State	Total unemployment	Partial unemployment	In new benefit year	State	Total unemployment	Partial unemployment	In new benefit year
AL			Not to interrupt consecutive weeks of benefits. Waiting-period must be served if, later in the new benefit year, the worker, after obtaining employment, again becomes unemployed.	NM	1	1	
AK	1	1		NY	1	2	
AZ	1	1		NC	1	1	
AR	1	1		ND	1	1	

MONETARY ENTITLEMENT

INITIAL WAITING PERIOD IN WEEKS (40 STATES)							
State	Total unemployment	Partial unemployment	In new benefit year	State	Total unemployment	Partial unemployment	In new benefit year
CA	1; Waiting period may be suspended by the Governor if compliance would prevent, hinder or delay the mitigation of the effects of any state-of-war emergency or state of emergency.		Not to interrupt consecutive weeks of benefits. Waiting-period must be served if, later in the new benefit year, the worker, after obtaining employment, again becomes unemployed. May be served in last week of old year.	OH	1	1	
CO	1	1		OK	1	1	
DC	1	1		OR	1	1	
FL	1	1		PA	1	1	
HI	1	1		PR	1	1	
ID	1	1		RI	1; waiting period will be suspended if the unemployment is due to a natural disaster or state of emergency.		
IL	1	1	May be served in last week of old BY.	SC	1	1	
IN	1	1		SD	1	1	
KS	1	1	1	TN	1; becomes compensable after 3 consecutive weeks of compensable unemployment immediately following waiting period.		
LA	1	1		TX	1; becomes compensable after receipt of benefits equaling 3 x the WBA.		
ME	1	1		UT	1; exempt for one week waiting period where the worker is in approved mandatory apprenticeship related training.		
MN	1; waiting period will not apply if the claimant would have been eligible for disaster benefits, but for the claimant's establishment of a claim.			VA	1; if unemployment caused by employer terminating operations, closing its business or declaring bankruptcy without paying final wages earned.		
MS	1	1		VI	1	1	
MO	1; becomes compensable after 9 consecutive weeks of compensable unemployment following waiting period.			WA	1	1	
MT	1	1		WV	1	1	
NE	1	1		WY	1	1	

STATES WITH NO WAITING PERIODS (12 STATES)		
Alabama	Connecticut	Delaware
Georgia	Iowa	Kentucky
Maryland	Michigan	Nevada

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STATES WITH NO WAITING PERIODS (12 STATES)		
New Hampshire	New Jersey	Wisconsin
Vermont	Wyoming (for claims filed between July 2, 2002 and June 30, 2004)	

BENEFITS FOR PARTIAL UNEMPLOYMENT

Often, instead of being laid off, workers may have their hours reduced during an economic downturn. Or, unemployed workers may find short-term work while looking for a permanent, full-time job. These circumstances characterize partial unemployment. The UI system is set up to permit benefit receipt by these workers as long as they meet all eligibility requirements. However, the weekly benefit amount payable differs.

A week of total unemployment is commonly defined as a week in which the worker performs no work and with respect to which remuneration is not payable. In Puerto Rico, a worker is deemed totally unemployed if earnings from self-employment are less than 1-1/2 the weekly benefit amount or if no service is performed for a working period of 32 hours or more in a week. In a few states, a worker is considered totally unemployed in a week even though certain small amounts of wages are earned. In most states, a worker is partially unemployed in a week of less than full time work and earnings of less than the weekly benefit amount. In some states, a worker is partially unemployed in a week of less than full-time work when less than the weekly benefit amount plus an allowance is earned, either from odd-job earnings or from any source as indicated in the table below.

The worker's UI payment will generally equal the difference between the weekly benefit amount and earnings. All states disregard some earnings as an inducement to take short-time work.

When determining monetary entitlement to benefits, the state usually specifies a maximum dollar amount that can be received-- usually equal to a specified number of weeks of benefits for total unemployment multiplied by the weekly benefit amount for total unemployment. Consequently, a partially unemployed worker may draw benefits for a greater number of weeks than a totally unemployed worker.

Most state laws provide that the benefit for a week of partial unemployment will be rounded to the nearest or the lower dollar. For example, in a state with a \$30 earnings disregard and rounding to the nearest dollar, a worker with a \$40 weekly benefit amount and earnings of \$50.95 would receive a partial benefit of \$19.

PARTIAL UNEMPLOYMENT					
State	Definition of partial unemployment: week of less than full-time work if earnings are less than:	Earnings disregarded in computing weekly benefit for partial unemployment	State	Definition of partial unemployment: week of less than full-time work if earnings are less than:	Earnings disregarded in computing weekly benefit for partial unemployment
AL	WBA	\$15	NE	WBA	1/2 WBA; full WBA is paid if earnings are less than 1/2 weekly benefit; 1/2 WBA is paid if wages are 1/2 WBA but less than full WBA.
AK	1-1/3 x WBA + \$50	1/4 wages over \$50	NV	WBA	1/4 wages
AZ	WBA	\$30	NH	WBA	30% of WBA
AR	WBA + 2/5 WBA	2/5	NJ	WBA + greater of \$5 or 1/5 WBA	greater of \$5 or 1/5 WBA
CA	WBA	greater of \$25 or 25% of wages	NM	WBA	1/5 WBA; excludes payments for jury service.
CO	WBA	1/4 wages	NY	Benefits are paid at the rate of 1/4 the WBA for each effective day within a week beginning on Monday. Effective day defined as 4th and each subsequent day of total unemployment in a week in which claimant earns not more than \$300.	

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PARTIAL UNEMPLOYMENT					
State	Definition of partial unemployment: week of less than full-time work if earnings are less than:	Earnings disregarded in computing weekly benefit for partial unemployment	State	Definition of partial unemployment: week of less than full-time work if earnings are less than:	Earnings disregarded in computing weekly benefit for partial unemployment
CT	1-1/2 + basic WBA	1/3 wages; includes holiday pay in the remuneration for determining partial benefits.	NC	week of less than 3 customary scheduled full-time days.	10% of AWW in HQ
DE	WBA + greater of \$10 or 50% of WBA	greater of \$10 or 30% of WBA	ND	WBA	60% WBA
DC	WBA + \$20	1/5 wages	OH	WBA	1/5 WBA
FL	WBA	8 x federal hourly minimum wage.	OK	WBA + \$100	\$100
GA	WBA	\$50; excludes payments for jury service.	OR	WBA	1/3 WBA; excludes wages from service in the organized militia for training or authorized duty from benefit computation.
HI	WBA	\$50	PA	WBA + 40% of WBA	Over 40% of WBA
ID	WBA + 1/2 WBA	1/2 WBA	PR	1-1/2 x WBA; week in which wages, or remuneration from self-employment, are less than 1-1/2 times claimant's WBA or the claimant performs no service for a working period of 32 hours or more in a week.	WBA
IL	WBA	1/2 WBA	RI 1/	basic WBA	1/5 WBA
IN	WBA	Greater of \$3 or 1/5 WBA from other than base period ERs.	SC	WBA	1/4 WBA
IA	WBA + \$15	1/4 WBA	SD	WBA	1/4 WBA over \$25.
KS	WBA	25% of WBA	TN	WBA	25% over \$25 greater of \$50 or 25% of WBA.
KY	1-1/4 x WBA	1/5 wages	TX	WBA + greater of \$5 or 1/4 WBA.	greater of \$5 or 1/4 WBA
LA	WBA	Lesser of 1/2 WBA or \$50.	UT	WBA	30% WBA
ME	WBA + \$5	\$25; excludes wages received by members of the National Guard and organized labor, including base pay and allowances or any amounts received as a volunteer emergency medical services worker.	VT	WBA + \$15	Greater of \$40 or 30% WBA
MD	Augmented WBA.	\$90	VA	WBA	\$25
MA	WBA	1/3 WBA; earnings plus WBA may not equal or exceed the worker's AWW.	VI	1-1/3 x WBA + \$15	25% of wages in excess of \$15

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PARTIAL UNEMPLOYMENT					
State	Definition of partial unemployment: week of less than full-time work if earnings are less than:	Earnings disregarded in computing weekly benefit for partial unemployment	State	Definition of partial unemployment: week of less than full-time work if earnings are less than:	Earnings disregarded in computing weekly benefit for partial unemployment
MI	1-1/2 x WBA	For each \$1 earned the WBA is reduced by 50 cents. There is also a limitation on total weekly benefits and earnings at 1-1/2 times the WBA with an equal reduction of benefits for each \$1 earned. If the reduction in the WBA results in a zero benefit rate, the weeks of benefit payments will be reduced by 1 week.	WA	1-1/3 x WBA + \$5	1/4 wages over \$5
MN	WBA	Greater of \$50 or 25% of wages. Up to \$200 in earnings from service in the National Guard or military reserves and pay received for jury duty and as a volunteer firefighter or volunteer ambulance service personnel is excluded.	WV	WBA + \$61	\$60
MS	WBA	\$40	WI	Any week the worker receives any wages. Also, no worker may be eligible for partial benefits if the benefit payment is less than \$5; or if an employer paid the worker at least 80% of the BP wages or the worker worked for the Employer at least 35 hours in the week at the same or a greater rate of pay as the worker was paid in the HQ	\$30 plus 33% of wages in excess of \$30. Also, no worker may be eligible for partial benefits if the benefit payment is less than \$5; or if an employer paid the worker at least 80% of the BP wages or the worker worked for the employer at least 35 hours in the week at the same or a greater rate of pay as the worker was paid in the HQ; excludes wages received as a volunteer fire fighter or voluntary medical technician from benefit computation.
MO	WBA + \$20	\$20; excludes wages from service in the organized militia for training or authorized duty from benefit computation.	WY	Basic WBA	Wages in excess of 50% of WBA
MT	2 x WBA	1/2 wages over 1/4 WBA			
<p>1/ Has special provision for totally unemployed workers who have days of employment between the end of the waiting period and the beginning of the first compensable week, and also for those who return to work prior to the end of a compensable week, provided they have been in receipt of benefits for at least 2 successive weeks of total unemployment. For each day of unemployment in such week in which work is ordinarily performed in the worker's occupation, one-fifth of the weekly benefit is paid, up to four-fifths of the weekly rate.</p>					

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DEPENDENTS' ALLOWANCES

Although wages earned during the base period is the primary factor in determining the size of the payment a claimant receives each week, some states' laws provide for a dependents' allowance above and beyond the basic benefit amount payable. The definition of dependent, for UI purposes, varies from state to state as does the allowance granted. In general, a dependent must be wholly or mainly supported by the worker or living with or receiving regular support from the worker.

DEFINITION OF DEPENDENT—All states with dependents' allowances include children under a specified age. The intent is to include all children who the worker is morally obligated to support. In most of these states, allowances may be paid on behalf of older children who are unable to work because of physical or mental disability. In some states, children are not the only dependents recognized - spouses, parents, or siblings are also included in the definition. The following table outlines, for the states that have dependents' allowances, their definition of a dependent.

DEFINITION OF DEPENDENT (12 STATES)							
State	Dependent child under 18 unless otherwise noted <u>1/</u>	Older child not able to work <u>1/</u>	Nonworking dependent			Number of dependents fixed for BY	Max. no. of dependents
			Spouse	Parent <u>1/</u>	Brother or sister		
AK	Child must be unmarried; must have received more than half the cost of support from claimant or be lawfully in the worker's custody at the time the worker claims the allowance.	X					3
CT	21 if child is fulltime student	X	X				5
IL		X	Spouse must be currently ineligible for benefits in the State because of insufficient BP wages.				2
IA		X	No dependency allowance paid for any week in which spouse earns more than \$120 in gross wages.	X	X	X	4
ME		X	No dependency allowance paid for any week in which spouse is employed full time and is contributing to support of dependents.				>5
MD	16					X	5
MA <u>2/</u>	Child must be unmarried and by interpretation; 24 if child is fulltime student.	X				X	>5
MI	Must have received more than half the cost of support from claimant for at least 90 consecutive days or for the duration of the parental relationship.	X	X	Parents over age 65 or permanently disabled for gainful employment, brother or sister under 18, orphaned or whose living parents are dependents.		X	>5
NJ	19; child must be unmarried; 22 if child is fulltime student.	X	X			X	3

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DEFINITION OF DEPENDENT (12 STATES)							
State	Dependent child under 18 unless otherwise noted <u>1/</u>	Older child not able to work <u>1/</u>	Nonworking dependent			Number of dependents fixed for BY	Max. no. of dependents
			Spouse	Parent <u>1/</u>	Brother or sister		
OH		X	May not be claimed as dependent if average weekly income is in excess of 25% of the claimant's AWW.			X	3
PA		X	X			X	2
RI		X				X	5

1/ Includes stepchild by statute in all states except ME and MA; adopted child by statute, AK, IL, IN, ME, MD., MI, NJ, OH, RI; and by interpretation, MA; legal guardian, MA, and RI; full-time student, CT, ME, MI, MA, and NJ. Legal parent, MI.

2/ Only dependents residing within the U.S., its Territories and possessions.

AMOUNT OF WEEKLY DEPENDENTS' ALLOWANCES—As with the definition of dependents, there is much variation among states concerning the amount of weekly dependents' allowance payable. However, there are some commonalities. For example, the allowance is ordinarily a fixed sum. In addition, all states have a limit on the total amount of dependents' allowance payable in any week - in terms of dollar amount, number of dependents, percentage of basic benefits, or of high-quarter wages or of average weekly wage. This limitation results in reductions, for some workers, in the actual allowance per dependent or the maximum number of dependents on whose behalf allowances may be paid. In almost all states, the number of dependents is fixed for the benefit year when the monetary determination on the claim is made. Likewise, in virtually all states, only one parent may draw allowances if both are receiving benefits simultaneously. Workers who are eligible for partial benefits may draw dependents' allowances in addition to their basic benefits in all the states providing for these allowances. They receive the full allowance for a week of partial unemployment. Consequently, the allowance for dependents may be greater than the basic benefit for partial unemployment. Alaska and Connecticut permit the dependents' allowances to be adjusted during the benefit year if a worker acquires additional dependents.

In all states except Illinois, Maryland and Ohio, the existence of a week of partial unemployment is measured without regard to the dependents' allowance; workers are considered partially unemployed if they earn less than the unadjusted weekly benefit amount.

AMOUNT OF WEEKLY DEPENDENTS' ALLOWANCES									
State	Weekly allowance per dependent	Limitation on weekly allowances	Minimum weekly benefit		Maximum weekly benefit		Full allowance for week of partial benefits	Maximum potential benefits	
			Basic benefit	Maximum allowance	Basic benefit	Maximum allowance		Without dependents	With dependents
AK	\$24	\$72	\$44	\$72	\$248	\$72	Yes	\$6,448	\$8320
CT	\$15	WBA	\$15	\$15	\$397	\$75	Yes	\$10,332	\$12,272
IL	\$3-\$96	\$5-\$86	\$51	\$5	\$296	\$96	Yes	\$7,696	\$10,192
IA	\$5-\$15	Schedule \$2-\$62	\$40	\$9	\$273	\$62	Yes	\$7,098	\$8,710
ME	\$10	½ WBA	\$46	\$23	\$265	\$132	Yes	\$6,890	\$10,322

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AMOUNT OF WEEKLY DEPENDENTS' ALLOWANCES									
State	Weekly allowance per dependent	Limitation on weekly allowances	Minimum weekly benefit		Maximum weekly benefit		Full allowance for week of partial benefits	Maximum potential benefits	
			Basic benefit	Maximum allowance	Basic benefit	Maximum allowance		Without dependents	With dependents
MD	\$8	\$32; same maximum WBA with or without dep. allowances; claimants at lower WBA may have benefits increased by dep. allowances.	\$25	\$57	\$310	\$0; same maximum WBA with or without dep. allowances; claimants at lower WBA may have benefits increased by dep. allowances.	Yes Not more than 26 payments for dep. may be made in any one BY.	\$8,060	\$8,060; same maximum WBA with or without dep. allowances; claimants at lower WBA may have benefits increased by dep. allowances.
MA	\$25	½ WBA	\$29	\$14	\$512	\$256	Yes	\$15,360	\$22,800
MI	\$6	\$30; same maximum WBA with or without dep. allowances; claimants at lower WBA may have benefits increased by dep. allowances.	\$81	\$111	\$300	\$0; same maximum WBA with or without dep. allowances; claimants at lower WBA may have benefits increased by dep. allowances.		\$7,800	\$7,800; same maximum WBA with or without dep. allowances; claimants at lower WBA may have benefits increased by dep. allowances.
NJ	\$4-\$30	7% for 1 st dependent and 4% for each of the next two dependents.	\$61	\$15	\$475	\$95 (1/5 WBA); same maximum WBA with or without dep. allowances; claimants at lower WBA may have benefits increased by dep. allowances.	Yes	\$11,154	\$11,154
OH	\$1-\$100	Benefits paid to claimants with dep. are determined by schedule according to the AWW and dependency class.	\$77	\$0	\$289	\$100	Yes	\$7,514	\$10,114
PA	\$5; \$3 for one other dependent.	\$8	\$35	\$8	\$430	\$8	Yes; not more than 26 DA payments may be made in any one BY.	\$11,180	\$11,388
RI	The greater of \$10 or 5 percent of the worker's benefit rate per dependent, up to 5 dependents.		\$52	\$50	\$397	\$99	Yes	\$10,322	\$12,896

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DURATION OF BENEFITS

When states compute a worker's monetary eligibility for benefits, in addition to calculating the weekly benefit amount, they determine the duration of benefits-- how long benefits can be collected. The duration is usually measured as a number of weeks of total unemployment. A few states' laws establish uniform durations of 26 weeks for all workers who meet the qualifying-wage requirements whereas the rest of the states have variable durations. Uniform duration states are not necessarily "more generous" than the other states because many of these states have comparatively high minimum wage thresholds to qualify for all but the lowest benefit levels. Similarly, whether directly or indirectly, all uniform duration states require employment in more than one quarter for all - or most - workers to qualify for benefits. The following sections provide an overview of the states using variable durations.

METHODS OF DETERMINING DURATION—In variable duration states, duration is determined by establishing a limit on total benefits receivable in a benefit year. In most of these states, a worker's benefits (hence, duration) is limited to a fraction or percent of base-period wages if it produces an amount less than the specified multiple (usually 26-30) of the worker's weekly benefit amount. The rest of the variable duration states - states using an average-weekly-wage method - set maximum potential benefits as a fraction of weeks worked during the base period. The following table describes how each of the variable duration states calculates the duration of benefits a worker is eligible to receive.

In all of these states, the maximum potential benefit may be used in weeks of total or partial unemployment.

HOW STATES DETERMINE DURATION									
State	Proportion of BPW credits or weeks of employment $\frac{1}{}$	State	Proportion of BPW credits or weeks of employment $\frac{1}{}$	State	Proportion of BPW credits or weeks of employment $\frac{1}{}$	State	Proportion of BPW credits or weeks of employment $\frac{1}{}$	State	Proportion of BPW credits or weeks of employment $\frac{1}{}$
AL	1/3	GA	1/4	MI	43% x total BP wages divided by WBA.	NC	Ratio of BPW to HQW multiplied by 8-2/3.	TN	1/4
AK	Ratio of annual wages to HQW--from less than 1.50-3.5 or more.	ID	Ratio of annual wages to HQW--from 1.25 to 3.25	MN	1/3	ND	Ratio of annual wages to HQW--from 1.5 to 3.2	TX	Lesser of 26 weeks or 27% of base period wages.
AZ	1/3	IN	28%; only specified amount of wages per quarter may be used for computing duration of benefits: \$7,300.	MS	1/3	OH	20 x WBA+ WBA for each credit week in excess of 20.	UT	27%
AR	1/3	IA	1/3; If laid off due to employer going out of business, $\frac{1}{2}$ of wages in BP up to 39 weeks	MO	Lesser of 1/3 or 26 x claimant's WBA; only specified amount of wages per quarter may be used for computing duration of benefits.	OK	Lesser of 26 times the WBA, a percentage (based on the UC fund balance and ranging from 20 to 50 percent) of the state AWW, or a percentage (based on UC fund balance and ranging from 40 to 50 percent) of the worker's insured wages during the BP.	VA	1/4

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HOW STATES DETERMINE DURATION									
State	Proportion of BPW credits or weeks of employment <u>1/</u>	State	Proportion of BPW credits or weeks of employment <u>1/</u>	State	Proportion of BPW credits or weeks of employment <u>1/</u>	State	Proportion of BPW credits or weeks of employment <u>1/</u>	State	Proportion of BPW credits or weeks of employment <u>1/</u>
CA	½	KS	1/3	MT	Ratio of annual wages to HQW-- from less than 1.25 to 3.25	OR	1/3	VI	1/3
CO	1/3; only specified amount of wages per quarter may be used for computing duration of benefits: 26 x the maximum WBA.	KY	1/3	NE	1/3	PA	A worker with at least 18 credit weeks in BP is eligible for 26 weeks of benefits; with at least 16 credit weeks in the BP, 16 weeks of benefits. A credit week is one in which the claimant earned at least \$50.	WA	1/3
DE	½	LA	27%	NV	1/3	RI	36%	WI	40%
DC	½	ME	1/3	NJ	3/4 wk of employment	SC	1/3	WY	30%
FL	25%	MA	36%	NM	3/5	SD	1/3		

1/ In states with weighted tables percent of benefits figures at bottom of lowest end of highest wage brackets; in states noted, percentage at other brackets are higher and/or lower than percentage shown.

MINIMUM WEEKS OF BENEFITS—In most states, the minimum potential annual benefits result from the minimum qualifying wages and the duration fraction or from a schedule. Once the minimum potential annual benefit is determined, duration is calculated by dividing it by the weekly benefit. If the weekly benefit amount is higher than the statutory minimum weekly benefit (because the qualifying wages are concentrated largely or wholly in the high quarter), the weeks of duration are correspondingly reduced.

MINIMUM BENEFITS - STATES WITH UNIFORM DURATION FOR ALL CLAIMANTS <u>1/</u> (9 STATES)								
State	Amount \$	Weeks	State	Amount \$	Weeks	State	Amount \$	Weeks
CT	390 <u>1/</u>	26 <u>1/</u>	MD	650	26	PR	182 <u>1/</u>	26 <u>1/</u>
HI	130 <u>1/</u>	26 <u>1/</u>	NH	832	26	VT		26
IL	1,326	26; claimants are eligible for the lesser of 26 weeks of benefits or their total BP wages.	NY	1,040	26	WV	624	26

1/ Benefits extended under state program when unemployment in state reaches specified levels--AK, CA and NJ; CT by 13 wks; DC by 10 wks; OR by 25%. In HI benefits extended by 13 weeks when a manmade or natural disaster causes damage to either the state as a whole or any of its counties and creates an unemployment problem involving a substantial number of persons and families. In PR benefits extended by 32 weeks in certain industries, occupations or establishments when special unemployment situation exists. Benefits also may be extended in all states, on a state basis, during periods of high unemployment by 50%, up to 13 weeks, under the Federal-State Extended Unemployment Compensation Program.

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MINIMUM BENEFITS - STATES WITH VARYING DURATION <u>1/</u> (44 STATES)								
State	Amount \$	Weeks	State	Amount \$	Weeks	State	Amount \$	Weeks
AL	712	15+	LA	210	21+	OK	333	20+; can be less than 26 if only one BP employer.
AK	704	16 <u>1/</u>	ME	1196	26	OR	352 <u>3/</u>	4+ <u>1/</u>
AZ	500	12+	MA	720	10+-30	PA	560	16
AR	513	9	MI	1,134	14	RI	780	15+
CA	562 <u>1/</u>	14+ <u>1/</u>	MN	380	10+	SC	300	15
CO	361	14+	MS	400	13+	SD	429	15+
DE	480	24	MO	440	11+	TN	377	12+
DC	1,000	20 <u>1/</u>	MT	520	8	TX	510	10
FL	850	26	NE	533	15	UT	590	10
GA	468	12	NV	200	12+	VA	708	12
ID <u>2/</u>	510	10	NJ	915	15 <u>1/</u>	VI	429	13+
IN	400	8+	NM	950	19	WA	1504	16+-30
IA	440	11+	NC <u>2/</u>	416	13-26	WI	528	12
KS	830	10	ND	516	12	WY	512	11-26
KY <u>2/</u>	585	15	OH	1,320	20			

1/ Benefits extended under state program when unemployment in state reaches specified levels--AK, CA and NJ; CT by 13 wks; DC by 10 wks; OR by 25%. In HI benefits extended by 13 weeks when a manmade or disaster causes damage to either the state as a whole or any of its counties and creates an unemployment problem involving a substantial number of persons and families. In PR benefits extended by 32 weeks in certain industries, occupations or establishments when special unemployment situation exists. Benefits also may be extended in all states, on a state basis, during periods of high unemployment by 50%, up to 13 weeks, under the Federal-State Extended Unemployment Compensation Program.

2/In ID, KY and NC, a minimum number of weeks duration (10 to 26) is specified in the law.

MAXIMUM WEEKS OF BENEFITS—Maximum weeks of benefits vary from 26 to 30 weeks, most frequently 26 weeks.

MAXIMUM BENEFITS - STATES WITH UNIFORM DURATION <u>1/</u> (9 STATES)				
State	Amounts (When 2 amounts are given, higher includes dependents.)	Weeks	Wage credits required	
			High quarter \$	Base period \$
CT	10,322 - 11,882	26 <u>2/</u>	10,322	15,880; claimant with maximum augmented benefit needs \$16,480 in BPW.
HI	9,646.00 <u>2/</u>	26 <u>2/</u>	7,770	9,646
IL	7,696 - 10,192	26; claimants are eligible for the lesser of 26 weeks of benefits or their total BP wages.	7,715	15,431

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MAXIMUM BENEFITS - STATES WITH UNIFORM DURATION 1/ (9 STATES)				
State	Amounts (When 2 amounts are given, higher includes dependents.)	Weeks	Wage credits required	
			High quarter \$	Base period \$
MD	8,060; same maximum with or without depts.	26	6,696	10,444
NH	7,826	26	Annual-wage formula; no required amount of wages in HQ.	29,500
NY	10,530	26	10,530	15,795
PR	3,458	26 2/	3,442	5,320
VT	7,748	26	Computed as wages in the 2 highest quarters divided by 45 (but not more than the maximum WBA)	13,410; Computed as wages in the 2 highest quarters divided by 45 (but not more than the maximum WBA)
WV	9,126	26	Annual-wage formula; no required amount of wages in HQ.	31,900

1/ In states with weighted tables percent of benefits figures at bottom of lowest end of highest wage brackets; in states noted, percentage at other brackets are higher and/or lower than percentage shown.

2/ Benefits extended under state program when unemployment in state reaches specified levels--AK, CA and NJ; CT by 13 wks; DC by 10 wks; OR by 25%. In HI benefits extended by 13 weeks when a manmade or disaster causes damage to either the state as a whole or any of its counties and creates an unemployment problem involving a substantial number of persons and families. In PR benefits extended by 32 weeks in certain industries, occupations or establishments when special unemployment situation exists. Benefits also may be extended in all states, on a state basis, during periods of high unemployment by 50%, up to 13 weeks, under the Federal-State Extended Unemployment Compensation Program.

MAXIMUM BENEFITS - STATES WITH VARIABLE DURATION 1/ (43 STATES)				
State	Amounts (When 2 amounts are given, higher includes dependents.)	Weeks	Wage credits required	
			High quarter \$	Base period \$
AL	4,940	26	4,548	14,818
AK	6,448 - 8,320	26 2/	Annual-wage formula; no required amount of wages in HQ.	26,750
AZ	5,330	26	5,125	15,990
AR	8,346	26	8,346	25,038
CA	5,980 2/	26 2/	7,633	11,958
CO	10,140	26	N/A: highest quarter does not apply to the formula that yields the maximum potential benefits.	10,560
DE	8,190	26		14,490
DC	8,034; same maximum with or without depts.	26 2/	8,034	16,068
FL	7,150	26	7,150	28,598; No required number of weeks of employment or amount of wages in HQ.
GA	7,124	26	6,576	28,496
ID	8,190	26	8,190	26,617.50
IN	8,112	26	7,300	29,200
IA	7,098 - 8,710	26	6,279	21,294
KS	8,658	26	7,835	25,974

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MAXIMUM BENEFITS - STATES WITH VARIABLE DURATION 1/ (43 STATES)				
State	Amounts (When 2 amounts are given, higher includes dependents.)	Weeks	Wage credits required	
			High quarter \$	Base period \$
KY	8,554	26	Annual-wage formula; no required amount of wages in HQ.	26,600
LA	6,708	26	6,450	24,843
ME	6,890 - 10,322	26	5,830	20,670
MA	15,360 - 23,040	30	13,312	42,667
MI	7,800	26	\$7,318	\$19,500
MN	8,606 - 11,102	26	8,606	44,408
MS	4,940	26	4,940	14,820
MO	6,110	26	5,825	18,330
MT	6,838	26	Annual-wage formula; no required amount of wages in HQ.	26,300 1/
NE	6,812	26	Annual-wage formula; no required amount of wages in HQ.	20,436 1/
NV	7,826	26	7,525	23,478
NJ	12,350; same maximum with or without depts.	26 3/		20,583; 20 weeks
NM	6,942	26	6,942	11,570
NC	9,750	26	9,750	29,545
ND	7,618	26	Highest 2.5 quarters must be \$18,850 or more	The ratio of total wages to high quarter must be 3.20 or more. 1/
OH	7,514 - 10,114	26	\$534.00 (for claimants with depts.; \$644.00 to \$716.00 based on number of depts.).	13,884; 26 wks
OK	7,566	26; duration can be much less than 26 weeks for claimants with only one BP employer.	6,693	17,128
OR	9,776	26	Annual-wage formula; no required amount of wages in HQ.	29,328
PA	11,180 - 11,388	26	10,688	17,120
RI	10,322 - 12,896	26	8,600	28,672
SC	6,734	26	6,734	20,202
SD	6,084	26	6,084	18,252
TN	6,630	26	6,630	26,520
TX	8,294	26	7,951	30,715
UT	9,230	26	9,230	34,185
VA	8,268	26	6,700	27,872
VI	8,606	26	8,606	25,818
WA	13,230	30	11,025	39,690
WI	7,722	26	7,425	19,305

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MAXIMUM BENEFITS - STATES WITH VARIABLE DURATION 1/ (43 STATES)				
State	Amounts (When 2 amounts are given, higher includes dependents.)	Weeks	Wage credits required	
			High quarter \$	Base period \$
WY	7,075	26	7,075	24,700

1/ In states with weighted tables percent of benefits figures at bottom of lowest end of highest wage brackets; in states noted, percentage at other brackets are higher and/or lower than percentage shown.

2/ Benefits extended under state program when unemployment in state reaches specified levels--AK, CA and NJ; CT by 13 wks; DC by 10 wks; OR by 25%. In HI benefits extended by 13 weeks when a manmade or disaster causes damage to either the state as a whole or any of its counties and creates an unemployment problem involving a substantial number of persons and families. In PR benefits extended by 32 weeks in certain industries, occupations or establishments when special unemployment situation exists. Benefits also may be extended in all states, on a state basis, during periods of high unemployment by 50%, up to 13 weeks, under the Federal-State Extended Unemployment Compensation Program.

OTHER LIMITS ON DURATION—In most states with variable duration, workers at all benefit levels are subject to the same minimum and maximum weeks of duration.

Three states include a limitation on wage credits in computing duration. In Colorado only wages up to 26 times the current maximum weekly benefit amount per quarter count; in Indiana, wages up to \$5,200. In Missouri wage credits are limited to 26 times the worker's weekly benefit amount. This type of provision tends to reduce weeks of benefits for workers at the higher benefit levels.

MAXIMUM POTENTIAL BENEFITS IN A BENEFIT YEAR—In the 53 states, maximum potential basic benefits in a benefit year are lowest in Puerto Rico and highest in Washington. In the states with dependents' allowances, maximum potential benefits for the worker with maximum dependents' allowances are lowest in Iowa and highest in Massachusetts. The qualifying wages required for these various amounts vary even more widely than the benefits. The variations are related more to the type of formula than to the amount of benefits.

SEASONAL EMPLOYMENT AND BENEFITS

Special provisions are found in 15 states' laws restricting the payment of benefits to workers who earned some or a substantial part of their base-period wages for employers' whose operations take place only during certain seasons of the year.

In these provisions, the term seasonal is defined - either in the statute or in the rules or regulations implementing the statute - in terms of:

- the industry, employer, or occupation involved;
- the wages earned during the operating period of the employer or industry; and
- the worker.

In most states, the designation of seasonal industries, occupations, or employers and the beginning and ending dates of their seasons is made in accordance with a formal procedure, following action initiated by the UI agency or upon application by the employers or workers involving hearings and presentation of supporting data. Arkansas law provides that any employer classified as a seasonal employer may request not to be treated as a seasonal employer.

In other states a seasonal pursuit, industry, or employer is defined in such terms as one in which, because of climatic conditions or the seasonal nature of the employment, it is customary to operate only during a regularly recurring period or periods of less than (a specified number of weeks): 16 weeks in Massachusetts; 26 weeks in Colorado; 26 weeks in Indiana; 26 weeks in Maine (except for seasonal lodging facilities, variety store or trading post, restaurants and

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camp, where a period of less than 26 weeks applies); 26 weeks in Michigan, 26 weeks in Ohio; and 36 weeks in North Carolina.

In general, the restrictions on the payment of benefits to workers employed during the operating periods of these seasonal industries fall into one of two groups.

1. The most frequent restriction provides that wage credits earned in seasonal employment are available for payment of benefits only for weeks of unemployment in the benefit year that fall within the operating period of the employer or industry where they were earned: wage credits earned in non-seasonal work or in employment with a seasonal employer outside the operating period are available for payment of benefits at any time in the benefit year. The states with this type of provision are listed below, together with the definitions of “seasonal worker” to whom the restrictions apply:

SEASONAL WAGE CREDITS AVAILABLE ONLY DURING SEASON					
AR	Off-season wages of (a) less than 30 times the weekly benefit amount, if worker's seasonal wages were earned in an industry with an operating period of 2-6 months; or (b) less than 24 times the weekly benefit amount, if seasonal wages were earned in an industry with operating period of 7-8 months.	MA	Some seasonal wages in operating period of seasonal industry.	OH	Some seasonal wages earned in operating period of seasonal employer.
CO	Some seasonal wages in operating period of seasonal industry.	MI	Wages must be within seasonal period of 26 weeks or less. Designation of employment as seasonal is voluntary.	PA	Seasonal wages for less than 180 days of work in operating period. Applies only if reasonable assurance of reemployment exists.
IN	Some seasonal wages in operating period of seasonal employer.	MS	Off-season wages of (a) less than 30 times the weekly benefit amount, if worker's seasonal wages were earned in a cotton ginning industry or professional baseball with an operating period of 6-26 weeks; or (b) less than 24 times the weekly benefit amount, if seasonal wages were earned in a cotton ginning industry or professional baseball with operating period of 27-36 weeks.	SD	Some wages earned in operating period of seasonal employer.
ME	Some seasonal wages in operating period of seasonal employer.	NC	25 percent or more of base-period wages earned in operating period of seasonal employer.		

2. Another type of restriction is applicable to workers who earned a large proportion of their base-period wages in the operating period of a seasonal industry. Under these provisions no benefits may be paid to the seasonal workers.

OTHER SEASONAL PROVISIONS (2 STATES)	
WV	Worker with less than 100 days of employment in seasonal industry and less than \$100 in other covered employment.
WI	Service performed by a worker for a seasonal employer is not covered unless he or she was employed by a seasonal employer for 90 days or more during 2 CQ's or is paid wages of \$500 or more during the base period for at least one employer in other covered employment.

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DEDUCTIONS AND WITHHOLDING FROM BENEFITS

Under federal law, UI must be paid to a worker as a matter of right and may not be intercepted to satisfy debts or other obligations. However, federal law provides some exceptions to this requirement and these are discussed below.

OVERPAYMENTS—All states reduce UI otherwise payable to recover earlier overpayments of UI. See the Nonmonetary Eligibility chapter for more information on this topic.

CHILD SUPPORT—Federal law requires states to deduct child support obligations from UI only when the obligations are enforced by the state child support agency.

OVERISSUANCES OF FOOD STAMPS—If the worker owes an uncollected over-issuance of Food Stamps, states may deduct such amount from UI benefits payable. The table below indicates which state laws provide for these deductions. However, all of these states do not necessarily make these deductions; it depends on whether the state UI and Food Stamp agencies have entered into agreements.

STATES WITH AUTHORITY TO DEDUCT FOOD STAMP OVER-ISSUANCES (30)															
State		State		State		State		State		State		State		State	
AL	X	DE	X	IN		MA	X	NV		OH		SC		VI	X
AK		DC		IA	X	MI		NH	X	OK	X	SD	X	VA	X
AZ	X	FL		KS	X	MN		NJ	X	OR		TN	X	WA	
AR	X	GA	X	KY		MS		NM	X	PA		TX	X	WV	X
CA		HI	X	LA	X	MO	X	NY	X	PR		UT	X	WI	
CO	X	ID		ME	X	MT	X	NC		RI		VT	X	WY	X
CT		IL	X	MD		NE	X	ND							

INCOME TAX—Federal law requires states to offer workers the opportunity to have income tax withheld from UI benefits at the rate of 10 percent. Federal law also permits states to withhold state and local income tax from UI benefits. The following table indicates which states offer workers the opportunity to have state (and/or local) income taxes withheld.

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WITHHOLDING STATE AND LOCAL INCOME TAX AT CLAIMANT OPTION														
State	State	Local	State	State	Local	State	State	Local	State	State	Local	State	State	Local
AL			HI	X	<u>1/</u>	MI	<u>2/</u>		NC	X		TN	X	X
AK	NA		ID	X		MN	X		ND	X		TX	NA	
AZ	X		IL	X	X	MS	X	X	OH			UT	X	X
AR			IN	X		MO	X	X	OK	<u>2/</u>		VT	<u>2/</u>	
CA			IA	X		MT			OR	X		VI		
CO	X		KS	X	X	NE	X		PA			VA		
CT	X	X	KY	X		NV	NA		PR			WA	NA	
DE	X	X	LA			NH	X	X	RI	X		WV		
DC	X	X	ME	X	X	NJ			SC	X		WI	X	
FL	NA		MD	X	X	NM	X	X	SD	NA		WY	NA	
GA	X		MA	X		NY	X	X						

NA: No state income tax.
1/ Local income taxes deducted and withheld from the worker's UI for other states and localities.
2/ If federal taxes are elected to be withheld from UI benefits then state taxes will be withheld as well.

HEALTHCARE COVERAGE—Illinois and Oklahoma law authorize the deduction of health insurance premiums deducted from the UI weekly benefit amount if the worker so elects, provided that the state has an approved health care plan for unemployed workers. However, neither state has implemented this authority. Massachusetts has a health insurance program for unemployed workers; however, it is unrelated to the UI program.