

Comparison of State Unemployment Insurance Laws 2009: Update

Following the enactment of the American Recovery and Reinvestment Act of 2009, several states made changes to their unemployment insurance laws. The following tables are being reissued to reflect the statutes enacted from January 1 to July 1, 2009. Provisions that are new to the table or have been modified are in italics.

TABLE 3-2: STATES WITH ALTERNATIVE AND EXTENDED BASE PERIODS			
State	ABP/EBP	State	ABP/EBP
AK	<i>APB: Last 4 completed calendar quarters 1/</i>	AR	<i>APB: Last 4 completed calendar quarters</i>
	EBP: BP extended up to 4 quarters if claimant was incapable of working during the greater part of a quarter		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
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	CA	<i>APB: Last 4 completed calendar quarters 2/</i>
CO	<i>APB: Last 4 completed calendar quarters</i>	CT	APB: Last 4 completed calendar quarters
			EBP: Last 4 completed quarters preceding sickness or disability
DE	<i>APB: Last 4 completed calendar quarters 3/</i>	DC	APB: Last 4 completed calendar quarters
GA	ABP: Last 4 completed quarters	HI	ABP: Last 4 completed calendar quarters
ID	<i>APB: Last 4 completed calendar quarters 4/</i>	IL	APB: Last 4 completed calendar quarters
	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		EBP: BP extended up to 1 year if the claimant received temporary total disability under a workers' compensation act or occupational diseases act
IN	EBP: Up to 4 quarters preceding the last day the worker was able to work	IA	<i>APB: Last 4 completed calendar quarters 5/</i>
			EBP: BP extended 3 or more quarters if the worker received workers' compensation or weekly indemnity insurance benefits for 3 or more quarters
KS	<i>APB: Last 4 completed calendar quarters</i>	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 workers' compensation files a UI claim within 4 weeks after having received workers' compensation
	EBP: Last 4 completed quarters preceding the date of qualifying injury		
ME	ABP: Last 4 completed calendar quarters	MA	ABP: Last 3 completed calendar 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)
	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		EBP: BP extended to 52 weeks if claimant received compensation for temporary total disability under a workers' compensation law for more than 7 weeks in BP
MI	ABP: Last 4 completed calendar quarters if individual fails to meet qualifying wage requirements	MN	<i>APB: Last 4 completed calendar quarters 6/</i>
			EBP: Up to 4 quarters depending on length of time a worker received compensation for temporary disability under a workers' compensation law

TABLE 3-2: STATES WITH ALTERNATIVE AND EXTENDED BASE PERIODS

State	ABP/EBP	State	ABP/EBP
MT	ABP: Last 4 completed calendar quarters	NV	ABP: Last 4 completed calendar quarters
	EBP: Up to 4 quarters depending on length of time a worker received compensation for temporary disability under a workers' compensation law		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
NH	ABP: Last 4 completed calendar quarters	NJ	ABP: BP may be one of two alternatives: (1) last 4 completed calendar quarters or (2) last 3 completed calendar quarters, plus any weeks of work in quarter in which claim is filed
NM	ABP: Last 4 completed calendar quarters	NY	ABP: Last 4 completed calendar quarters
NC	ABP: Last 4 completed calendar quarters	OH	ABP: Last 4 completed calendar quarters
	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		
OK	ABP: Last 4 completed calendar quarters ^{7/}	OR	ABP: Last 4 completed calendar quarters
	EBP: 4 quarters prior to regular base period		EBP: BP extended up to 4 quarters if the worker is disabled for the majority of a quarter. If the worker received workers' compensation, the base year can be extended up to 4 quarters preceding the illness or injury
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	RI	ABP: Last 4 completed calendar quarters
			EBP: Worker who received workers' compensation and has requested reinstatement to a previous position that no longer exists is eligible to have base period determined as of the date of the work related injury
SD	ABP: Last 4 completed calendar quarters	TN	ABP: Last 4 completed calendar quarters ^{8/}
	EBP: 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		
TX	EBP: If an initial claim is filed within 24 months from the date a workers' illness or injury began or occurred, the BP will be the first 4 of the last 5 completed quarters preceding the illness or injury	UT	EBP: First 4 of last 5 completed quarters prior to date of illness/injury. Worker must have received temporary disability payments during normal BP, filed initial claim no later than 90 days after release to work and within the 36-month period following commencement of illness/injury
VT	ABP: One of two alternatives: (1) last 4 completed calendar quarters or, if still ineligible, (2) last 3 completed calendar quarters plus any weeks of work in quarter in which claim is filed	VA	ABP: Last 4 completed calendar quarters
WA	ABP: Last 4 completed calendar quarters	WV	ABP: Last 4 completed calendar quarters
WI	ABP: Last 4 completed quarters	WY	EBP: A worker who experienced a temporary total disability under workers' compensation may elect a BP of the last 4 completed quarters preceding the date of injury if the worker filed a claim within 3 years of the date of injury and no longer than 60 days after notice of the end of the disability

^{1/} Effective 1/1/2010
^{2/} Effective no later than 4/3/2011
^{3/} Effective 1/3/2010
^{4/} Effective 10/1/2009
^{5/} Effective 7/5/2009
^{6/} Effective 8/2/2009
^{7/} Effective 11/1/2009
^{8/} Effective no later than 6/25/2010

TABLE 4-1: STATES WITH OPTIONAL TRIGGERS FOR EB

State	<u>DOES NOT</u> Use 6% IUR Option	Uses 6.5% TUR Option	State	<u>DOES NOT</u> Use 6% IUR Option	Uses 6.5% TUR Option
AK		X	AZ		X <u>1/</u>
CA		X <u>2/</u>	CO		X <u>3/</u>
CT		X	DE	X	X <u>4/</u>
DC		X <u>5/</u>	FL	X	X <u>6/</u>
GA	X	X <u>6/</u>	ID		X <u>7/</u>
IL		X <u>2/</u>	IN		X <u>3/</u>
IA	X		KS		X
KY	X	X <u>1/</u>	ME		X <u>1/</u>
MA	X	X <u>8/9/</u>	MI		X <u>4/</u>
MN		X	MO		X <u>10/</u>
NV		X <u>1/</u>	NH	X	X
NJ		X	NM		X
NY		X <u>2/</u>	NC		X
ND	X		OH		X <u>11/</u>
OR		X	RI		X
TN		X <u>3/</u>	SD	X	
UT	X		VT		X
VA		X <u>2/</u>	WA	X	X
WI		X <u>12/</u>	WY	X	

- 1/ Expires the later of 12/12/09 or the week ending three weeks prior to the last week for which full federal sharing is authorized.
- 2/ The week ending three weeks prior to the last week for which full federal sharing is authorized.
- 3/ Expires the later of 12/5/09 or the week ending four weeks prior to the last week for which full federal sharing is authorized.
- 4/ Expires 1/2/10.
- 5/ Expires 12/6/09.
- 6/ Expires 12/12/09.
- 7/ The week ending four weeks prior to the last week for which full federal sharing is authorized.
- 8/ Legislation enacted on July 2, 2009.
- 9/ Last week for which full federal sharing is authorized.
- 10/ On or before 12/5/09.
- 11/ Expires the later of 12/6/09 or the week ending three weeks prior to the last week for which full federal sharing is authorized.
- 12/ Expires the later of 6/1/10 or the last week for which full federal sharing is authorized.