



Received 4.17.09

COMMONWEALTH of VIRGINIA

Virginia Employment Commission

Dolores A. Esser
Commissioner

703 East Main Street

Post Office Box 1358
Richmond, Virginia 23218-1358

April 8, 2009

Ms. Cheryl Atkinson, Administrator
Office of Workforce Security
U. S. Department of Labor
200 Constitution Avenue, NW
Room S-4231
Washington, DC 20210

Dear Ms. Atkinson:

Enclosed please find the Virginia Employment Commission's application for the UI Modernization incentive payment for the one-third of its share as it relates to the base period provision.

The Virginia Unemployment Compensation Act of 2008 includes the regular and alternate base period provision under section 60.2-204 – Base Period which states: "Base Period" means that the first four of the last five completed calendar quarters immediately preceding the first day of the claimant's benefit year; however, if the claimant has earned insufficient wages in the first four of the last five completed calendar quarters to become eligible for benefits, then such claimant's "base period" shall be the four most recent completed calendar quarters immediately preceding the first day of the claimant's benefit year.

The law is permanent and was passed by the Virginia General Assembly in 2003, beginning with claims filed effective July 6, 2003 and after.

The funds received will be used to pay benefits to unemployment insurance claimants. Like many states during this economy, Virginia's Trust Fund can use these funds to delay borrowing from the Federal Government. This will allow some delay in tax increases to the employer community.

Sincerely,

A handwritten signature in cursive script that reads "Dolores A. Esser".

Dolores A. Esser

CHAPTER 383

An Act to amend and reenact § 60.2-204 of the Code of Virginia, relating to unemployment compensation; base period.

[S 1040]

Approved March 16, 2003

Be it enacted by the General Assembly of Virginia:

1. That § 60.2-204 of the Code of Virginia is amended and reenacted as follows:

§ 60.2-204. Base period.

"Base period" means the first four of the last five completed calendar quarters immediately preceding the first day of the ~~individual's~~ *claimant's* benefit year; *however, if the claimant has earned insufficient wages in the first four of the last five completed calendar quarters to become eligible for benefits, then such claimant's "base period" shall be the four most recent completed calendar quarters immediately preceding the first day of the claimant's benefit year.*



COMMONWEALTH of VIRGINIA

Virginia Employment Commission

*Dolores A. Esser
Commissioner*

703 East Main Street

*Post Office Box 1358
Richmond, Virginia 23218-1358*

April 24, 2009

Ms. Cheryl Atkinson, Administrator
Office of Workforce Security
U. S. Department of Labor
200 Constitution Avenue, NW
Room S-4231
Washington, DC 20210

Dear Ms. Atkinson:

Enclosed please find the required certification that needs to be included with the Virginia Employment Commission's application for the UI Modernization incentive payment for the one-third of its share as it relates to the base period provision. The original request was submitted on April 8, 2009.

Sincerely,

A handwritten signature in cursive script that reads "Dolores A. Esser".

Dolores A. Esser

Enclosure

COMMONWEALTH OF VIRGINIA
APPLICATION
UI MODERNIZATION INCENTIVE PAYMENTS
BASE PERIOD PROVISIONS

CERTIFICATION

I do hereby certify that the Virginia Unemployment Compensation Act includes the regular and alternate base period provision under Section 60.2-204 – Base Period which states: “Base Period” means that the first four of the last five completed calendar quarters immediately preceding the first day of the claimant’s benefit year; however, if the claimant has earned insufficient wages in the first four of the last five completed calendar quarters to become eligible for benefits, then such claimant’s “base period” shall be the four most recent completed calendar quarters immediately preceding the first day of the claimant’s benefit year.

I do further certify that the Virginia General Assembly passed this law in 2003 effective beginning with claims filed effective July 6, 2003 and after. This provision is permanent (that is, not temporary) and is not subject to discontinuation under any circumstances other than repeal by the legislature.

I further certify that the subject Application is submitted in good faith with the intention of providing benefits to unemployed workers who meet the eligibility provisions on which the Application is based.



Dolores A. Esser, Commissioner
Virginia Employment Commission