

# UNEMPLOYMENT INSURANCE

## WHAT IS UNEMPLOYMENT INSURANCE (UI)?

Unemployment Insurance is a joint state-federal program that provides cash benefits to eligible workers. Each state administers a separate UI program, but all states follow the same guidelines established by federal law.

Unemployment insurance payments (benefits) are intended to provide temporary financial assistance to unemployed workers who are unemployed through no fault of their own. Each state sets its own additional requirements for eligibility, benefit amounts, and length of time benefits can be paid.

Generally, benefits are based on a percentage of your earnings over a recent 52-week period, and each state sets a maximum amount. Benefits are subject to federal and most state income taxes and must be reported on your income tax return. You may choose to have the tax withheld from your payment.

### UI Benefits are Administered by States

To find information about your state's program, including eligibility, benefits, and application information, visit our [Unemployment Insurance Service Locator](#).

## AM I ELIGIBLE?

Each state sets its own guidelines for eligibility for UI benefits, but you usually qualify if you:

- ▶ **Are unemployed through no fault of your own.** In most states, this means you have to have separated from your last job due to a lack of available work.
- ▶ **Meet work and wage requirements.** You must meet your state's requirements for wages earned or time worked during an established period of time referred to as a "base period." (In most states, this is usually the first four out of the last five completed calendar quarters prior to the time that your claim is filed.)
- ▶ **Meet any additional state requirements.** Find details of your own state's program by using our [Unemployment Insurance Service Locator](#).

## HOW DO I APPLY?

To receive UI benefits, you need to file a claim with the UI program in the state where you worked.

- ▶ You should contact your state's UI program as soon as possible after becoming unemployed. Find your state's program by using our [Unemployment Insurance Service Locator](#) and check with them to see if you should file a claim in person, by telephone, or online.
- ▶ Generally, you should file your claim with the state where you worked. If you worked in a state other than the one where you now live or if you worked in multiple states, the state UI agency where you now live can provide information about how to file your claim with other states.
- ▶ When you file a claim, you will be asked for certain information, such as addresses and dates of your former employment. To make sure your claim is not delayed, be sure to give complete and correct information.
- ▶ It generally takes two to three weeks after you file your claim to receive your first benefit check. Some states require a one-week waiting period; in other words, you would receive your first payment for the second week of your unemployment claim.

## HOW DO I STAY ELIGIBLE?

Generally states require the following in order to maintain weekly eligibility:

- ▶ File weekly or biweekly claims, usually by mail or phone.
- ▶ Be able to work, available to work, and actively seek work each week you claim benefits.
- ▶ Report any earnings from work you had during the week(s). States have different rules for how much money you can earn while receiving benefits.
- ▶ Report any job offers or job offers you decline during the week.
- ▶ If requested, report to your local UI claims office or American Job Center on the scheduled day and time. Benefits may be denied for those who do not attend.
- ▶ Some states require registration for work with the State Employment Service, so it can assist you in finding employment.
- ▶ Meet any other state eligibility requirements.

You will find help in your job search at your local [American Job Center](#). They have a variety of services free of charge. Staff there can:

- ▶ Refer you to job openings in your area, or in other areas if you plan to relocate.
- ▶ Help with resume writing, interview practice, and other job search activities.
- ▶ Refer you to training programs.
- ▶ Some Centers offer testing and counseling to help you explore new careers.
- ▶ If you believe you have special needs or considerations, such as physical needs or other considerations, which may prevent you from getting a job, they can refer you to other agencies for help with those needs.

## WHAT IF I AM DENIED?

Each state UI Program makes its own decisions about workers' eligibility for benefits. There are many reasons for denying benefit payments; some of the most common are:

- ▶ Voluntarily leaving work without good cause. Benefit payments can be paid if you quit under certain circumstances depending on your state's laws.
- ▶ Being discharged for misconduct connected with work. Misconduct is an intentional or controllable act or failure to take action, which shows a deliberate disregard of the employer's interests.
- ▶ Not being able or available for work. You must be able, ready and willing to accept a suitable job.
- ▶ Not actively seeking work.
- ▶ Refusing an offer of suitable work.
- ▶ Knowingly making false statements to obtain benefit payments.

If you are disqualified or denied benefits, you have the right to file an appeal. Your employer may also appeal a determination if he/she does not agree with the state's determination regarding your eligibility. You must file your appeal within an established time frame.

## HOW LONG WILL MY BENEFITS LAST?

In general, benefits are based on a percentage of an individual's earnings over a recent 52-week period - up to a State maximum amount.

- ▶ Benefits can be paid for a maximum of 26 weeks in most States.
- ▶ Additional weeks of benefits called Extended Benefits may be available during times of high unemployment (Some States also provide additional benefits for specific purposes).
- ▶ Benefits are subject to Federal income taxes and must be reported on the individual's Federal income tax return. Or the individual may elect to have the tax withheld by the State Unemployment Insurance agency.

You can visit the Comparison of State UI Laws at <https://oui.doleta.gov/unemploy/statelaws.asp#Statelaw> for additional information about the maximum weeks of entitlement and other state specific UI laws.