MODEL CLAIMANT HANDBOOK

July 2021

A GUIDE TO UNEMPLOYMENT BENEFITS

Purpose of the Model Claimant Handbook
This is a resource for states that want to simplify or update their claimant handbook. It draws upon behavioral insights and document layout best practices. The goal is to help your state produce a handbook that is easy for claimants to read and understand.

Using the Model Claimant Handbook
The right-hand column of each page has a gray background to signify it is not intended for claimants to view. This area contains tips or best practices your state can consider while updating your claimant handbook.

The left-hand column includes a suggested structure and content for your claimant handbook. You are welcome to use this text and layout in your state’s handbook.

Contact Information
Contact your NASWA state liaison or email learning@naswa.org with questions or for more information about the Model Claimant Handbook.
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ABOUT THIS HANDBOOK

PURPOSE OF THE CLAIMANT HANDBOOK

This handbook provides important information about Unemployment Insurance (UI) Benefits. (See the Glossary in Appendix B for definitions of all underlined terms.) You must read and understand the information in this document. If you do not understand or you have questions, please contact our agency for help.

CONTACT INFORMATION

There are many ways to contact us:

- **Go to our Website**
  Visit: [insert url for your state’s UI homepage]

- **Call Us**
  [insert your state’s list of locations and associated numbers]

- **Visit in Person**
  You may visit one of our offices at one of these locations:
  [insert your state’s map showing American Job Center locations or provide a list]

LANGUAGE ASSISTANCE

Free services are available to assist you if you do not speak English. For assistance in a language other than English, please call [insert phone number]. If you are deaf, hard of hearing, or have a voice impairment, please call [insert phone number].

Styles

This document contains pre-formatted styles. Retain the Heading 1, Heading 2, and Heading 3 styles for section names, topics, and sub-topics. This will automate creation of a Table of Contents that includes hyperlinks.

Bracketed Text

Each time you see text inside [brackets], replace the bracketed text with the state-specific information described inside the brackets.

Customizing for Your State

If some of this information does not apply to your state (e.g., your state may not have a UI presence at the AJCs), you can remove the applicable section(s) from this document.
OVERVIEW OF UNEMPLOYMENT INSURANCE (UI)

ABOUT THE UI PROGRAM

UI is a program designed to provide temporary income to workers who lost their job through no fault of their own – for example, due to a layoff, plant closure, or lack of available work. Benefits are not available to all workers. For example, workers who were fired from their job for misconduct cannot receive UI benefits.

Funding for the UI Program

Our state UI program is funded through taxes paid by employers. No money is deducted from your paycheck to pay for UI benefits. [Alternate language for states with a UI tax for employees: The UI program is funded through taxes paid by employers and employees.]

WE ARE HERE TO HELP YOU

The [insert name of state agency] is here to assist you through your time of unemployment. To make sure you are paid benefits in a timely manner, please help us by:

- Providing accurate information
- Responding to requests for information right away
- Completing all requirements to maintain UI eligibility, as outlined in this handbook
- Keeping your contact information up to date

Change of Address or Phone Number

If you move or change your phone number, let us know as soon as possible. Failure to notify our agency of your current contact information may result in a delay in payment of benefits. The easiest way to update your address or phone number is through our website at [insert url].

For Fastest Service, Go Online

You can check the status of your claim, request information, and more through our safe and secure website. Visit [insert url] 24 hours a day, 7 days a week.

[Use this space to add information about how to set up an online account in your state.]

[If you make accommodations for individuals who have difficulty with online filing, please specify your state’s process in this space.]

Use Everyday Language

Rather than “policy speak” or UI jargon that may be unfamiliar to claimants, try to write the handbook using a conversational tone. This makes it more likely claimants will understand the information and comply with UI policies.

Callout Boxes

A callout box can help claimants focus on key information. Be careful not to overuse callout boxes, as they become less noticeable when used too often.

Provide Specific URLs

Whenever possible, link to the specific page on your website where the information resides, rather than your Agency’s homepage. If claimants must log in prior to accessing the information, provide clear directions on how to locate the information.
ELIGIBILITY FOR UI BENEFITS

QUALIFYING FOR UI BENEFITS

Our agency will review your claim to determine if you qualify for benefits. We look at these three criteria:

1. How much did you work in the 12-18 months before filing a claim?
   You must have earned sufficient wages in the 12 to 18 months prior to filing a claim. If you did not earn enough wages, you will not be eligible for benefits.

2. Why are you no longer working for your past employer?
   The reason you are no longer employed helps determine whether you can receive UI benefits. Below are some examples of separation reasons that may qualify or disqualify you from receiving benefits.
   
   **You may receive benefits if you:**
   - Were laid off or your hours were reduced because your employer did not have enough work for you
   - Left your last job and can show it was for good cause related to the job (such as unsafe working conditions)
   - Are unemployed because you or your child were a victim of domestic violence, stalking, or sexual assault

   **You may not receive benefits if you:**
   - Left your job for personal reasons unrelated to work
   - Were fired for misconduct
   - Are not legally authorized to work in the United States
   - Are self-employed full-time
   - Are currently receiving workers’ compensation for an on-the-job injury

3. Are you able and available to work?
   In order to qualify for UI benefits you must be:
   - Actively looking for work
   - Mentally and physically able to work
   - Legally authorized to work in the United States
   - Available to accept new work (for example, you do not have personal responsibilities that would prevent you from working)

OPTIONS FOR RECEIVING PAYMENT

If you are eligible for UI benefits, you may receive your payment:

- Through **direct deposit** – this option puts money directly into your checking account.
- On a **prepaid debit card** – this option provides you with a prepaid debit card from [insert name of bank]. You can make purchases, get cash, and pay bills everywhere [insert vendor] debit is accepted.

To learn more about these payment options, visit [insert url].
**AMOUNT OF UI BENEFITS**

After you file a claim for UI benefits, you will receive a Monetary Determination in the mail. The Monetary Determination explains:

- The amount of benefits you are eligible to receive, if approved, and how that amount was calculated
- The number of weeks you will be eligible for benefits
- Information about how to Appeal or request a monetary reconsideration if you disagree with the determination

The maximum amount of benefits you can receive per week in the state of [insert state name] in [insert current year] is $[insert amount]. [Insert a link to your state’s webpage that explains the monetary calculation.]

**WAITING WEEK**

The first week of your claim is considered a waiting week. You must file a payment request and meet all eligibility requirements during this week, but you will not be paid. Your payments will start the following week, assuming you are still eligible for benefits and fulfill all requirements.

For example, consider a situation where John lost his job on the first Monday of the month and filed an initial claim for UI benefits on the same day. Even though John submits a certification for the first week of benefits, he will not be paid for this waiting week.

The next week, if John fulfills all eligibility requirements, he will be eligible to receive payment. See the Maintaining Your UI Eligibility section for more details on the continuing eligibility requirements.

**DEDUCTIONS**

Your benefits may be reduced under the following circumstances:

**Separation Pay**

A severance package, pay in lieu of notice, or a continuation of pay with full benefits from an employer may affect UI benefits.

Be sure to report any separation payments when you file your [bi-]weekly claim. You may be contacted by the agency for additional details to help determine if your separation pay is deductible.

**Retirement Income**

Retirement income, such as Social Security Payments, disability payments, or survivor benefits, may affect your weekly benefit amount (WBA).

You must tell us if you receive or apply to receive payment from your retirement plan.
Other Earnings
If you are working part-time, you may still be eligible for partial UI benefits. Be sure to report any earnings from part-time work. See the Reporting Earnings section for more information.

Money Owed
Some or all of your unemployment benefits may be reduced if you:
- Owe court-ordered child support
- Have past due federal or state taxes
- Have Supplemental Nutrition Assistance Program (SNAP) debt
- Previously received unemployment benefits that you were not entitled to, and did not repay the Overpayment

You will be notified [insert means of communication] if your UI benefits will be applied to any of these types of debts.

Taxes
Your UI benefits are taxable by the federal and state government. You may choose if you want to have taxes withheld from your weekly payment or not. If you elect not to have taxes withheld, you will be responsible for the full taxable amount at the end of the year. Questions about taxes on UI payments should be directed to the Internal Revenue Service (IRS) or your tax professional.

By the end of January each year, the [state agency] will provide you with IRS form 1099-G. This form shows the amount of benefits you were paid during the previous year and the amount of income tax withheld, if you selected that option.

[Use this space to explain how claimants can access their 1099-G. Crop or remove the below image, depending on how much space you need.]
MAINTAINING YOUR UI ELIGIBILITY

Every week that you claim benefits, you must complete 3 tasks to remain eligible:

1. Searching for work
2. Completing a [bi-]weekly claim certification
3. Reporting earnings (any money you earned during the claim week)

Failure to complete any of these actions can disqualify you from future benefits.

SEARCHING FOR WORK

You are required to actively search for work every week you receive UI benefits by completing at least [number] work search activities. Below are examples of work search activities that fulfill this requirement, along with activities that are not considered valid.

Qualifying Work Search Activities:

- ✓ Apply for a job that fits your skills and qualifications
- ✓ Interview for a job
- ✓ Report to a union hiring hall if you are a registered member of that union
- ✓ Participate in reemployment services at your state workforce center

Invalid Work Search Activities:

- ✗ Applying for a job that you are unqualified for
- ✗ Viewing job leads without applying
- ✗ Failing to apply for a job in the manner directed by an employer (e.g., failing to submit an online application when an employer tells you to apply online)

All work search activities must be documented. See Appendix C for a sample work search log.

Did you know?

Unemployed workers who conduct more than the [number] required work search actions find work up to [number] times faster than those who only complete the minimum each week.

COMPLETING A [BI-]WEEKLY CLAIM CERTIFICATION

To continue receiving benefit payments, you will need to file a [bi-]weekly claim certification to tell [state agency] you are still jobless. The claim certification includes a series of questions that help determine if you are eligible to continue receiving UI benefits. For example, you will be asked if you:

- Were able and available to accept work
- Looked for work, along with details about your work search efforts
- Refused any jobs or offers of work
- Completed any work, and if so, how much money you earned for that work

Under penalty of law, you are required to truthfully answer the questions for each week you claim UI benefits.
**When to File Your [Bi-]Weekly Claim**

The [Sunday] after you initially apply for benefits is the first day that you can submit a [bi-]weekly claim. [Bi-]Weekly claims must be completed by 11:59 pm on [Saturday] of each week you are claiming benefits.

For example, if you lost your job on Monday the 3rd of the month, you could file an initial claim for [benefit] on the same day or on any other day that week.

Then you could submit a [bi-]weekly claim for your first week of benefits starting on Sunday the 9th.

Failure to submit the [bi-]weekly claim before 11:59 pm on Saturday the 15th may result in delayed benefit payment or a denial of benefits for that week.

**How to File Your [Bi-]Weekly Claim**

**Online**
For fastest service, visit: [insert url].

**By Phone**
[insert phone number]
[insert days/times during which claimants may certify by phone]
REPORTING EARNINGS

If you are working while claiming UI benefits, you must report how much money you made. The amount you must report is your **gross earnings**, not your **net earnings**.

Sample Pay Stub

![Sample Pay Stub Image]

**When to Report Earnings**

Earnings must be reported each week when certifying for UI benefits for the previous Sunday through Saturday period, even if you have not yet been paid.

**What Earnings to Report**

Any money earned for work done must be reported. Common income sources include full- or part-time employment, temporary or odd jobs, self-employment, and tips.

**How to Calculate Gross Earnings**

\[
\text{Number of Hours Worked during Week} \times \text{Rate of Pay} = \text{Gross Earnings}
\]

For instance, if you worked 30 hours in a week at $20 per hour, you would report $600 in gross earnings for the week.

**Did you know?**

[insert percentage]% of [insert name of people who live in your state, such as Californians] who claim unemployment benefits accurately report their earnings. Are you one of them?

Icons

Placing icons next to short summaries of key takeaways helps improve understanding of complicated information.

Use Social Norms

Calling claimants’ attention to the positive behaviors of their fellow claimants makes them more likely to comply with the requirement.
GETTING YOU BACK TO WORK

The [insert name of state employment services agency] offers a variety of no-cost programs and services – including job leads and career resources – to help you get back to work faster.

MANDATORY JOB SEARCH REGISTRATION

To receive UI benefits, you must register with the [insert name of agency] within [insert length of time] of filing your claim for UI benefits. If you are attached to a union hiring hall or meet other specific criteria, we will notify you of your exemption to register.

How to Register for Reemployment Services
[Use this space to explain if claimants must report in person, register online, etc.].

REEMPLOYMENT SERVICES

In addition to job search assistance, [insert name of agency] can assist you with resume writing, interviewing skills, labor market information, and more. Visit [insert url] to find your local American Job Center (AJC).

Additional Services to Assist You

- **Training Programs** - You may be eligible for training or education programs to help you upgrade your skills or complete a degree program. To learn more about whether you might qualify, visit: [insert url].
- **Veterans’ Assistance** – We have employment assistance programs specifically designed for veterans. If you are a veteran, get started at: [insert url].
- **Free or Low-Cost Health Coverage** – As an unemployed worker, you and your family may qualify for free or low-cost health coverage. To see if you are eligible or to learn how to apply, visit: [insert url].

WHEN YOU FIND A NEW JOB

**Full-time Work**
After you start a new full-time job, you do not need to notify our office that you found work. Simply stop submitting the [bi]weekly claim certification to request UI benefit payments when you start your new job (even if you will not be paid for a week or more). Should you start the new job in the middle of the week, be sure to report your earnings on your [bi-]weekly claim.

**Part-time Work**
If you find part-time work, you may still be eligible for partial UI benefit payments. Be sure to report any earnings from part-time work. See the Reporting Earnings section for more information.

Include a Call to Action
Claimants receive a lot of information about UI when they file a claim. It can be overwhelming and confusing, and they may not be sure what they need to do. Be very clear about the action(s) claimants need to take. Keep your instructions as simple as possible.

Keep the Message Positive
Negative language may cause the reader to stop processing information. Using positive language, such as, “When you find a new job,” instead of, “If you find a new job,” is a subtle change, but it can make a difference in how claimants perceive the information.
UI FRAUD

Fraud is a serious crime. Detecting and preventing unemployment insurance fraud is a priority for our agency. Claims are audited regularly to ensure benefits were paid according to state and federal law.

EXAMPLES OF UI FRAUD

Some examples of fraud include:
- Failing to report money earned while collecting benefits.
- Being dishonest about why you are no longer working for a previous employer.
- Saying you are able and available when you are ill, traveling, or otherwise unable or unavailable to work.
- Reporting that you looked for work when you did not make valid work search efforts.

To Avoid Committing Fraud

The most important thing is to be honest. If you intentionally make false statements or hide information to gain or maintain UI benefits, you are committing fraud. If you are confused about what you are supposed to do or report, call [insert number] for clarification. We are here to help!

PENALTIES FOR UI FRAUD

Penalties for fraud can include:
- Repayment of all UI benefits that you were not eligible to receive.
- A [insert number]% penalty on top of the benefits you should not have received.
- Disqualification from receiving future benefits for up to [insert length of disqualification].
- Being convicted of a crime in state and/or federal court.

WHAT WE DO TO STOP UI FRAUD

These are just some of the ways we identify people who are committing fraud:
- Comparing earnings reported by workers and their employers
- Auditing claims
- Checking state and national databases of recently hired individuals to make sure people are not collecting UI benefits after they start working again
- Verifying job search contacts
- Reviewing union attached status

Chunking

Chunking breaks up long strings of information into smaller units, or chunks. The chunks are easier to understand and commit to memory than big blocks of text. They are also easier to scan so claimants can quickly identify the section of the handbook they need to review.

Avoid large text blocks by using bullets, icons, and callout boxes.

Report Suspected Fraud

You can report fraud:
- Online at [insert url]
- Through our toll-free Fraud Hotline at [insert phone number]

Tips about possible fraud are pursued by our team of Investigators.
APPEAL RIGHTS

If you or your employer disagree with a decision regarding your UI claim, you each have the right to appeal. Appeals must be submitted within [insert #] days from the date the determination letter was mailed.

HOW TO SUBMIT AN APPEAL

To submit an appeal, you need to submit [insert name of form] which provides an opportunity for you to describe the reasons you disagree with the decision. You may appeal:

- **Online**
  Visit: [insert url]

- **By Mail**
  [insert mailing address for appeals unit]

- **By Fax**
  Fax your appeal to [insert fax number].

THE APPEAL PROCESS

After your appeal is received, you will be sent a Notice of Hearing in the mail or through some other customary method of contacting you. It will inform you of the date and time of your appeal hearing. **You must participate in your hearing to protect your benefit rights.** An impartial hearing officer is responsible for the appeal hearing.

The hearing officer will issue a written decision that is mailed (or emailed if that is the customary method of contacting you) after the hearing to you and any other interested parties, such as your employer. If you disagree with a hearing officer’s decision, you may appeal that decision.

For more information about appeals, visit [insert url].

REMAINING ELIGIBLE DURING YOUR APPEAL

To maintain your UI eligibility, continue to search for work, complete a [bi-]weekly claim certification, and report any money you earned during the claim week while your appeal is pending. If the appeal is decided in your favor, you will only be paid for the weeks for which you met these requirements.
APPENDIX

APPENDIX A - LEGAL DISCLOSURES

Equal Opportunity Information
It is against the law for this agency to discriminate against any individual on the basis of race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act (WIOA), on the basis of the individual’s citizenship status or participation in any WIOA Title I–financially assisted program or activity.

What to Do if You Experience Discrimination
If you think that you have been subjected to discrimination under a WIOA Title I–financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation.

To File a Complaint Online
Visit: www.dol.gov/oasam/programs/crc/complaint.htm

To File a Complaint by Mail
Send information about your complaint to:
The Director - Civil Rights Center
U.S. Department of Labor
200 Constitution Avenue, NW, Room N-4123
Washington, DC 20210

Accommodations for Individuals with Disabilities
We will make accommodations to allow your participation in all UI programs, activities, and services. To request an accommodation for a disability, please contact us at [insert phone number].

Your Privacy Matters to Us
We follow all state and federal laws that protect your private information. To help connect you with programs designed to get you back to work, we share some of your information with our partners, such as the [insert name of your State’s Reemployment Services organization], and they are not allowed to share it with anyone else. We give them your:

- Contact information
- Employment and job search history
- Demographics (such as age or gender)

Your previous employers and other state or local government agencies may release to our agency any information, including your Social Security number, required for the proper administration of your claim. We also use your Social Security number to report the amount of UI benefits you receive to the Internal Revenue Service (IRS) as taxable income.
**APPENDIX B - GLOSSARY**

This section defines commonly used terms and acronyms.

**Appeal** – A process for requesting a formal review of a prior UI decision.

**Appeal Hearing** – A meeting to consider an Unemployment Insurance benefit appeal. Each party (you and the employer, in most cases) can tell an impartial hearing officer what they believe the relevant facts are related to the issue on appeal. You may have witnesses testify. You may ask questions of the other party. All testimony is given under oath.

**Base Period** – The window of time used to determine UI benefit eligibility. At the time an initial claim for benefits is filed, wages from the first four of the last five completed calendar quarters are reviewed to determine UI benefit eligibility. Your Weekly Benefit Amount (WBA) is also based on how much you earned during this time.

**Benefit Week** – A seven-day period during which you have an active claim. The benefit week begins on Sunday and ends at midnight the following Saturday.

**Benefit Year** – Also referred to as a Claim Year, this is the 52 weeks from the Claim Effective Date to the Claim End Date.

**Benefits** – The money given to eligible individuals.

**Claim** – An application for UI benefits.

**Claim Effective Date** – The Sunday of the week in which your initial claim for benefits is filed.

**Claim End Date** – Also referred to as a Benefit Year End (BYE), this is the last Saturday of a Benefit Year. This falls 52 weeks after the Claim Effective Date.

**Fraud** – Knowingly claiming or accepting UI benefits illegally. Fraud is a crime.

**Full-time Work** – Working 40 or more hours per week.

**Gross Earnings** – The amount of money you get for work before taxes and deductions are taken out.

**Net Earnings** – Your take-home pay, after taxes and deductions are taken out.

**Maximum Benefit Amount (MBA)** – The maximum amount of benefits you may receive during a benefit year. This amount is based on the wages earned in the Base Period of a claim multiplied by the number of benefit weeks you are eligible for within the Claim Year. This amount is listed in your Monetary Determination notice.

**Misconduct** – Careless or deliberate behavior that results in being fired or suspended from your job. Examples include dishonesty related to employment, unexcused absences, or violation of a company policy.

**Monetary Determination** – A form mailed to you after you file an initial claim for UI benefits. It explains if you are eligible for UI benefits, how much your payment will be each week, the Maximum Benefit Amount (MBA), and other details for that Claim Year. This form lists all employers you worked for during the Base Period and the wages each employer reported each quarter. Be sure to check it for accuracy and notify [insert agency name] of any errors at [insert phone number].

**Overpayment** – UI benefits you received, but were not entitled to, under state law.

**Partial UI Benefits** – The amount of UI benefits you may receive while working reduced hours (less than your typical work hours).

**Separation** – When you or your employer end the working relationship. This can be due to a quit, discharge, leave of absence, suspension, or layoff.

**UI** – Unemployment Insurance, which is the benefit program for workers who become unemployed through no fault of their own.

**Union Attached** – An active union member who gets work through a union hiring hall. If you are on the out-of-work list, as verified by your union, you may be eligible for UI benefits by remaining available for work through your union.

**Weekly Benefit Amount (WBA)** – The maximum amount of money you may be eligible to receive for one week. This amount is listed in your Monetary Determination notice.
APPENDIX C – SAMPLE WORK SEARCH LOG

Use a log such as the one shown below to keep track of the work search activities you complete each week. Be sure to document the details of each action (what, when, where, and with whom). If possible, save a screenshot, email confirmation, or other evidence of your work search action.

Include a Sample Work Search Log

Providing a structured template that explains the number and type of activities that must be completed each week clearly communicates expectations.

The work search log should show the information that must be gathered for work search activities on a fill-in-the-blank style form that can be used each week.

Additional text on the work search log describing the types of acceptable activities could encourage claimants to diversify their efforts.

Tip for documenting work search activities: Store your documentation in a single location, such as one folder on your computer.
APPENDIX D – SAMPLE WORK SEARCH PLAN

You should take time each week to make a work search plan. Thinking about what work search actions you plan to do will help you stay on track with your work search efforts.

Write down your plans below. For example, “I will submit a job application to ABC Company on Friday morning.” As you complete your work search actions, track your progress using the checkboxes below.

1. My first Work Search Action will be: _______________________________
   I will complete it on this date: _______________________________
   □ Completed    □ Documented

2. My second Work Search Action will be: _______________________________
   I will complete it on this date: _______________________________
   □ Completed    □ Documented

3. My third Work Search Action will be: _______________________________
   I will complete it on this date: _______________________________
   □ Completed    □ Documented

4. My fourth Work Search Action will be: _______________________________
   I will complete it on this date: _______________________________
   □ Completed    □ Documented

Include a Sample Work Search Plan

Providing a planning prompt (such as the one shown here) helps claimants stay organized, encourages them to develop good habits, and gets them started on fulfilling their requirements.