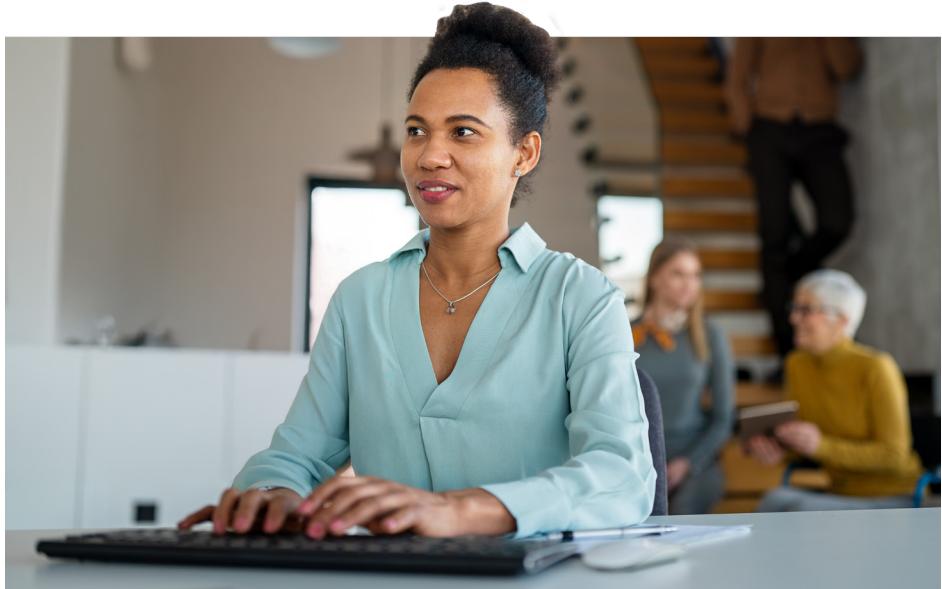




WORKFORCE
SERVICES
UNEMPLOYMENT
INSURANCE

Claimant Guide

UNEMPLOYMENT BENEFITS



jobs.utah.gov

File for benefits • Check claim status • Register for work

IMPORTANT: You are accountable for the information in this guide. Please read the guide carefully and keep it for reference during your claim.

Claims are not taken over the phone. Visit jobs.utah.gov to file your claim.
If you have a difficulty filing online, contact the Claims Assistance and Re-Employment (CARE) Team using the Live Chat feature at job.utah.gov.

REMEMBER:

You will need to file your claim each week, even if you are awaiting a decision.
Otherwise, you will not be paid for those weeks.

Refer to the section entitled **Weekly Claim Filing Instructions** for instruction on filing weekly claims.

PROTECT YOUR PERSONAL IDENTIFICATION NUMBER (PIN):

You are the only one who should know your PIN. Your PIN is your signature when you file your weekly claim. Do not allow anyone else access to your PIN. You will be liable for improper or fraudulent payments made using your PIN. If another person knows your PIN, change your PIN immediately online at jobs.utah.gov or contact the CARE Team.

04-02-0125

Equal Opportunity Employer/Program

Auxiliary aids (accommodations) and services are available upon request to individuals with disabilities by calling 801-526-9240. Individuals who are deaf, hard of hearing, or have speech impairments may call the Relay Utah by dialing 711. Spanish Relay Utah: 1-888-346-3162.

INDEX

Able to Work/Available to Work	15
Address Changes	25
Appeals.....	23
Audit of Your Claim.....	21
Base Period	5
Beginning Date of Your Claim	6
Benefit Year	7
Child Support Deduction	19
Closing a Claim (Back to Work Full Time).....	20
Correspondence	25
Eligibility Reviews.....	21
Eligibility/Denial of Benefits	21
Foreign Travel.....	16
Fraud and Penalties	4
Incarceration/Prison or Jail Confinement	16
Internet Login – Single Sign On	7
Monetary Determination.....	6
Online Services	3
Overpayments	22
Payment Methods – Direct Deposit or U.S. Bank ReliaCard.....	18
Payments/Waiting Week	16
Re-employment and Employment Centers	11
Refusal of Work	17
Reopening a Closed Claim	20
Retirement Deduction	19
Self-employment/Commission Sales	11
Suitable Work.....	13
Tax Liability	19
Tips for Recording Job Search Activities	25
Trade Act Benefits.....	24
Training/School Approval	16
U.S. Bank ReliaCard Security	18
Vacation, Holiday, Severance or Separation Pay.....	17
Wage Requirements	6
Weekly Claim Filing Instructions.....	8
Work and Earnings Reporting	9
Work Registration	14
Work Search Requirements.....	12

Use of this Guide

This guide tells you what you need to know about filing a claim. Read through the guide at the beginning of your claim. You can then go back to specific topics as you file for your unemployment benefits.

This guide does not cover all the laws and rules that affect unemployment benefits. If you need help with or have a question about your claim, sign in to your "my Unemployment" account at jobs.utah.gov and select our Live Chat feature or contact the Claims Assistance and Re-Employment (CARE) Team.

Unemployment insurance laws and rules are available online at jobs.utah.gov.

General Information

By filing a claim for unemployment benefits, you give consent to your employer(s) to release to the Utah Department of Workforce Services all information necessary to determine eligibility, even if the information is confidential. Utah law requires employers to report any wages covered under the Utah Employment Security Act and the reason you are not working.

Your unemployment benefits may be denied if you fail to provide Workforce Services with all the information necessary to determine your eligibility for benefits. Workforce Services may use information you or your employer provide to:

- Perform Workforce Services business, including, but not limited to: payment of benefits, employment services, statistical data, law enforcement, audits and hearings
- Disclose to your former employer(s) to determine your eligibility for unemployment benefits

- Disclose to other state or federal agencies for eligibility verification and for law enforcement efforts
- Disclose to the Governor's Office for economic development planning
- Disclose to other state or federal agencies for child support and civil rights enforcement programs, and to other state and federal agencies that administer programs established for the protection of workers in the workplace
- Subject to verification through appropriate matching programs

Workforce Services is not allowed to release information about your claim to your spouse, friends, bank, credit union, attorney or any other party unless there is a signed release from you or a court order.

Unemployment benefits are not public assistance, Social Security or a disability payment. Unemployment insurance is to pay temporary assistance to eligible workers during times of unemployment when suitable work is not available.

Employers pay all costs of the Unemployment Insurance program.

Unemployment benefits are paid to eligible workers who:

- Have sufficient wages during the base period
- Are unemployed through no fault of their own
- Are able to work full-time
- Are available for and actively seeking full-time work

Online Services

Answers to most questions about your claim are online at jobs.utah.gov. Select "Sign in" (in the upper right-hand corner) then "my Unemployment" and choose "Need Assistance?" in the "Tools" box. Then choose "Frequently Asked Questions."

Please use jobs.utah.gov to:

- File a new claim or reopen an existing claim
- Complete statements when advised after filing a weekly claim
- View or print summary of weekly payments
- View details of deductions and payments made on your claim
- See why no payment was issued
- Change payment method – payments are available only through direct deposit or U.S. Bank ReliaCard
- View the balance remaining on your current claim
- Establish or change your PIN/password
- Change address, phone or email address
- Change federal and state tax status
- View documents through electronic correspondence
- View or print a Form 1099-G to see annual payments and taxes for 2007 or later

Fraud and Penalties

You commit fraud if you make false statements, provide false information or withhold information to obtain unemployment benefits for which you are not eligible. The most common cause of fraud is failure to report all earnings while filing for benefits or not accurately reporting the reason you are not working.

Only you are authorized to file your claim for benefits. The responsibility for filing weekly claims cannot be delegated to another person, including your spouse. You are responsible for any false information provided.

Do not allow anyone else access to your Personal Identification Number (PIN). Your PIN is your signature when you file your weekly claim. If anyone has knowledge

of your PIN, even your spouse, go online to jobs.utah.gov, select "Sign in" (in the upper right-hand corner) then "my Unemployment" and "Login" to change your PIN.

Penalties for fraud include some or all of the following:

- Repayment of at least twice the amount of benefits paid
- Denial of future benefits for up to 49 weeks and until the overpayment and penalty are repaid
- Wage garnishments, tax interception and liens
- Criminal prosecution under federal and/or state law
- Court fines, community service and probation
- Incarceration
- Publication of conviction

Workforce Services has a full-time fraud detection division to identify and recommend criminal prosecution of those who commit fraud. You can report unemployment fraud online at <https://jobs.utah.gov/ui/home/fraud/uifraud> or by phone at 801-526-4400 and select option 2.

Base Period

Your weekly unemployment benefit amount and the number of weeks you are eligible for benefits is determined by a 12-month base period. The base period is the first four of the last five completed calendar quarters before the week you file your application for benefits. A calendar quarter is a three-month period ending March 31, June 30, Sept. 30 or Dec. 31.

Example of calendar quarter:

If your claim is effective between the following dates:	Your 12-month base period would be the preceding:
January through March	October 1 to September 30
April through June	January 1 to December 31
July through September	April 1 to March 31
October through December	July 1 to June 30

If you do not qualify with wages from this base period, you may still qualify using an alternate base period. The alternative base period is the most recent four completed calendar quarters.

Wage Requirements

To determine your unemployment benefit amount, you must have earned wages in two or more calendar quarters of your base period. Your total base-period wages must be at least 1.5 times the wages you earned in the quarter with the highest earnings. There is also a minimum amount of wages required during the base period.

Beginning Date of Your Claim

Your claim is normally effective the Sunday of the week you file an application for unemployment benefits, provided you did not work full-time or have earnings equal to or in excess of your weekly benefit amount during that week.

Monetary Determination

Normally, you will receive a "Notice of Monetary Determination" within three weeks from the day you file your claim for unemployment benefits. This notice includes:

- Wages reported by your base period employer(s)
- Your weekly benefit amount
- Number of weeks of benefits you may receive if you meet all eligibility requirements. (See **Eligibility/Denial of Benefits**) The number of weeks ranges from 10-26 depending on your earnings

Carefully review the wages and employers reported on the monetary determination. Missing wages or missing employers could reduce your benefits or prevent you from qualifying. Note: if the status of your claim says "eligible", this is referring to your monetary eligibility, showing you meet the qualification to qualify monetarily for a claim. See

Eligibility/Denial of Benefits for more information.

If you do not receive this notice after filing claims for four weeks, sign in to your “my Unemployment” account at jobs.utah.gov and select our Live Chat feature or call the CARE Team. If you believe the wages or employers reported on the notice are not correct, please follow the instructions in the “Notice of Monetary Determination.”

Benefit Year

Your claim is established for a 52-week period called a benefit year. It begins with the effective date of your claim and ends 52 weeks from that date. You may file for the weeks you are unemployed until you have exhausted your unemployment benefits. You may also file if you have earnings from part-time employment that are less than your weekly benefit amount. At the end of the benefit year, your claim will end whether or not you have received all your benefits. You may not file a new Utah claim for benefits until your benefit year has ended.

Internet Login – Single Sign On

In order to access your unemployment account online, you will need to create a Utah-ID. Creating an Utah-ID requires an email address. You may use a current email or a new email account to complete this process. The email used to sign into your account does not need to be the same as the one that is on file with the unemployment division.

To set up your account go to jobs.utah.gov, select “Sign in” (in the upper right-hand corner) then select “my Unemployment” and “Login.” You will be directed to a web page to create a Utah-ID. Follow the instructions to create a Utah-ID and activate your account. Once you have activated your account you will be redirected back to continue filing your unemployment claim. Once your account is set up, you will use this login for all interaction with Workforce Services.

Weekly Claim Filing Instructions

You must file weekly claims to receive unemployment benefits. To file a weekly claim, you will need your Social Security Number and PIN. The unemployment claim week begins on Sunday and ends on Saturday at 11:59 p.m. **We encourage you to file your claim on Sunday or as soon as possible after the Saturday week-ending date.** File your weekly claim online at jobs.utah.gov, select "Sign in" (in the upper right-hand corner) then "my Unemployment" and then choose "File Weekly Claim."

You will be asked for your PIN each time you use the system. Your PIN is the four-digit number you selected when you established your claim. (See **Fraud and Penalties**)

Beginning with the first week of your claim, and each week after you must answer questions to determine your eligibility for benefits. Failure to file a weekly claim in a timely manner could result in a denial of benefits. The system will not permit late filing. If you do not file a weekly claim within 27 days from the Saturday of the last week filed, your claim will be late and will be closed. If you wish to continue filing, you will need to reopen your claim at jobs.utah.gov. Your claim will reopen on the Sunday of the week your claim is filed. You may not be allowed to file for any weeks you previously missed. (See **Reopening a Closed Claim**)

When filing for a specific week, be careful to answer the questions as they pertain to that specific week only. You must report all work and gross wages (before taxes or deductions) for the week in which you worked regardless of when you are paid. You will be asked some or all of the following questions, depending on the status of your claim. These questions apply only to the specific week for which you are filing:

- "During the week, did you work or attend paid training?"
- "How much did you earn before deductions?" (i.e., your gross earnings without any cents). For example, if you earned \$116.80, you would enter "116."

Depending on the amount of earnings you report, you may be asked some additional questions not listed here.

- “During the week, did you quit a job or were you fired from a job?”
- “Did you refuse any offers of work or fail to apply for work during the week?”
- “Did you attend school or unpaid training during the week?”
- “Were you able and available for full-time work without any restrictions?”
- “Did you travel outside the United States during the week?”
- “You are required to make four new full-time employer contacts each week. You will be required to provide this employer information. Did you contact employers for work as you were instructed by the Department?”
- “You will be held responsible for the information contained in your Claimant Guide. Have you received your Claimant Guide?”

After you have answered these questions, your responses will be displayed to you and you will have the opportunity to correct or certify your answers. **Knowingly or carelessly misreporting earnings constitutes fraud. The law provides severe penalties for receiving unemployment benefits under fraudulent circumstances.** (See **Fraud and Penalties**) If you realize you made a mistake after filing your weekly claim, sign in to your “my Unemployment” account at jobs.utah.gov and select our Live Chat feature or contact the CARE Team immediately.

Work and Earnings Reporting

An unemployment week starts Sunday at 12 a.m. and ends Saturday at 11:59 p.m. The first question asked on

your weekly certification is, "Did you work or attend paid training?" If you performed any type of work during the week, you must answer "yes" to that question.

You must report all your work and gross earnings (before taxes or deductions) for the week in which you worked, even if you have not yet received your pay. If you have questions about how to report your earnings, sign in to your "my Unemployment" account at jobs.utah.gov and select our Live Chat feature or contact the CARE Team. You must report:

- Full-time, part-time, or temporary work (e.g., 10 hours of work at \$9.00/ hour = \$90.00)
- Paid training for any employer
- Military reserve or National Guard duty
- Work for a non-profit organization or church
- Self-employment, work on contract or commission basis
- Payment for providing childcare, even in your own home
- Holiday, severance, paid/personal time off (PTO) and vacation pay
- Tips
- Farming income
- Volunteer work
- Cash value of work performed in exchange for anything of value

If you work less than full-time and earn less than your weekly unemployment benefit amount during a given week, you may continue filing since you are entitled to partial benefits if you are otherwise eligible. Workforce Services will apply a 30% earnings allowance to calculate your weekly benefit payment. For example, if your weekly benefit amount is normally \$300, you could earn \$90 (30% of \$300) without

affecting payment for that week. **You must still report these earnings.**

If your earnings equal or exceed your weekly benefit amount or you work 40 or more hours during the week, you will not receive any payment or waiting week credit for that week. You must accept all suitable work offered to you or report to Workforce Services you failed to accept such work.

You are responsible for any inaccurate or incomplete information you provide. If you receive more income than you reported, you are responsible to immediately contact the CARE Team to correct previously reported earnings. Failure to correctly report all work and earnings could result in overpayments and penalties. (See Fraud and Penalties)

Self-employment/Commission Sales

Report all self-employment or commission sales activities on your weekly filing. Involvement in self-employment or commission sales could result in a denial of unemployment benefits even if no wages are earned or received. Failure to report any type of work could result in benefit overpayments and penalties. (See **Fraud and Penalties**)

Re-employment and Employment Centers

The Unemployment Insurance Division is part of Workforce Services and provides temporary assistance for qualified workers. While receiving unemployment benefits, you are obligated to become re-employed and you should develop a realistic plan to find a new job.

To stay eligible for benefits, you are required to complete online workshops, participate in an in-person Re-Employment Services and Eligibility Assessment appointment, attend an in-person workshop, or participate in other activities to help you in returning to work. Failure to participate could result in a denial of benefits.

Workforce Services offers many tools and services online at jobs.utah.gov and through each of our employment centers statewide. These services include:

- Career counseling
- Job searching
- Resume assistance
- Workshops
- Re-employment services
- Resource referrals
- Labor market information
- Veteran resources
- Training and education resources

To find the address and phone number of your closest Utah employment center, go to jobs.utah.gov, scroll to the bottom and enter your ZIP code under the "Find a Workforce Services Location" box in the bottom left-hand corner.

Please note the employment centers do not have unemployment insurance information and cannot help you with your unemployment claim. For unemployment-specific information sign in to your "my Unemployment" account at jobs.utah.gov and select our Live Chat feature or contact the CARE Team.

Work Search Requirements

An important part of your re-employment plan is to contact employers. Unless a Workforce Services representative instructs you otherwise, you are required to make a good faith effort to seek full-time work each week that you claim unemployment benefits, even if you are employed part-time or attend school.

You should make at least four new full-time job contacts each week. A new contact means contacting an employer

you have not contacted before, or contacting a previously contacted employer on a newly listed job opening. You are required to keep a detailed record of your work search activities. You are required to provide this information during your weekly filing. You may need to provide this information if you are selected for an audit or eligibility review. Your record of employer contacts should include the following:

- Date of contact
- Name of company or other identifying information, such as job reference number
- Company address, phone number, email, web link or person contacted
- Position title
- Method of contact
- Results of contact

A sample Job Search Record is located at the back of this pamphlet. **Failure to provide this information may result in a denial of benefits, delayed payment or possible overpayments and penalties.** (See **Fraud and Penalties**)

Your efforts must reflect a genuine desire to immediately find a new job. For additional tools on becoming re-employed, refer to the **Re-employment and Employment Centers** section of this pamphlet.

Suitable Work

You are required to look for and accept all suitable work. The suitability of a job depends on the length of time you have been unemployed. You are allowed time to look for work comparable to that performed during your base period, provided there is a reasonable expectation of finding that type of work.

As the length of your unemployment increases, however, you are expected to make concessions with respect to earnings, working conditions, job duties and the use of prior training. You are not required to accept work if:

- The job opening is due directly to a strike, lockout or other labor dispute
- The wages, hours or other conditions offered are much less favorable to you than those for similar work in the locality
- As a condition of being employed, you are required to join a labor organization, required to resign from a labor organization or prevented from joining a labor organization

Failure to: (1) accept a referral for suitable work, (2) properly apply for available suitable work or (3) accept an offer of suitable work may result in a denial of benefits. You must report any failure to seek or accept work to Workforce Services for the week in which it occurred, even if you felt the work was not suitable. Improper reporting may constitute fraud. (See **Fraud and Penalties**)

Work Registration

Unless otherwise instructed, you are required to complete all steps of the work registration for job placement assistance with Workforce Services. Update your work registration each time you create a new claim or reopen an existing claim.

To register, go online to jobs.utah.gov, select "Sign in" (in the upper right-hand corner) then "my Unemployment" and choose "Register for Work." You may also register online at the employment center closest to you. If you live in or move to a state other than Utah, you must register with the nearest state employment center (for the state you are residing in) and submit proof of registration to Workforce Services.

Failure to register within 10 working days of your application for unemployment benefits could result in a denial of benefits. (See **Re-employment and Employment Centers**)

By registering with Workforce Services you have access to thousands of job openings and you are provided with referrals to a variety of online, self-paced workshops that can aid you in finding a job.

Able to Work/Available to Work

You must be physically and mentally able to work full-time. If you are ill, injured, on a leave of absence or unable to work for any other reason, you may not be eligible for unemployment benefits for that period of time.

You are required to report that you are not available for work when any condition exists that could prevent you from working, accepting work or seeking full-time work. This includes, but is not limited to:

- Applying for/receiving disability
- Hospitalization
- Illness
- Travel
- Incarceration
- Injury
- Loss of childcare
- Loss of transportation
- School attendance

You may be required to provide evidence of your ability to work, such as a doctor's statement.

You must be immediately available to accept full-time work. You cannot place unreasonable restrictions on the hours you will work, the wage you will accept or the distance you will travel to work.

If your employer is holding your job while you are on an approved leave of absence you will not be considered available for work.

Training/School Approval

Training or school attendance may interfere with your availability for full-time work and your eligibility for unemployment benefits. Any school attendance or training must be reported when you file your weekly claim. This includes training required by an employer. Under limited circumstances, school attendance may be approved while receiving benefits.

Foreign Travel

You may not be eligible for unemployment benefits if you are traveling or residing outside of the United States. You must report any foreign travel when filing your weekly claim. Failure to correctly notify Workforce Services that you were outside of the United States could result in overpayment and penalties. (See **Fraud and Penalties**)

Incarceration/Prison or Jail Confinement

You are required to immediately notify Workforce Services if you are incarcerated. Upon notification, Workforce Services will stop all unemployment benefits until you notify Workforce Services of your release. Failure to notify Workforce Services of your incarceration could result in overpayments and penalties. It is considered fraud to allow anyone to file your weekly claims while incarcerated. (See **Fraud and Penalties**)

Payments/Waiting Week

Utah law requires that you will not be paid for the first eligible week claimed. This week is referred to as the waiting week. You must file for this week and meet all eligibility requirements in order to establish the claim and receive waiting week credit.

If you meet all the eligibility requirements and file your claim each week, you should receive your first payment about three weeks after you apply for unemployment benefits.

Payments are not made on the same day each week. If you have not received payment or a disqualification letter after you have filed for four weeks, sign in to your "my Unemployment" account at jobs.utah.gov and select our Live Chat feature or contact the CARE Team.

Funds will not be available in your checking, savings or U.S. Bank ReliaCard account for at least two business days after Workforce Services releases the benefits. (See **Weekly Claim Filing Instructions**)

Vacation, Holiday, Severance or Separation Pay

Severance pay is defined as a payment made by an employer that would not have been made except for the severance of the employment relationship. All vacation, holiday, severance, paid/personal time off (PTO) or separation pay you have received or will receive must be reported to the CARE Team. These types of payments are usually considered earnings. You will not be eligible for waiting-week credit or unemployment benefits for weeks in which those payments equal or exceed your weekly benefit amount.

Refusal of Work

You must report any failure to accept work, even if you think the work is not suitable. This includes:

- Any hours missed from your normal work schedule due to circumstances, such as illness, travel or other personal reasons
- Refusal of increased or extra hours offered by a current employer
- Any work offered by a new employer
- Recall by a former employer

You must also report any job separation that occurs while you are filing for benefits on your weekly claim.

Payment Methods – Direct Deposit or U.S. Bank ReliaCard®

All unemployment benefit payments are made electronically. You may choose direct deposit into your own checking or savings account. If you do not select direct deposit a ReliaCard account will be established for you.

The preferred method of payment for benefits is direct deposit into your checking or savings account. You can choose the direct deposit option, or change your bank information online, at jobs.utah.gov. You may also sign in to your "my Unemployment" account at jobs.utah.gov and select our Live Chat feature or contact the CARE Team to request a form. Workforce Services cannot deposit funds onto prepaid debit cards other than the ReliaCard. Monthly statements of benefit payments will be available online.

The ReliaCard works much like a standard debit card. With this option, your benefit payments are deposited into a separate account created for you by the card issuer.

You access your money by making purchases or withdrawing cash using the card. No credit check or bank account is required. Your ReliaCard is accepted everywhere Visa® debit cards are accepted. A monthly statement of account activity to your ReliaCard account will be available online at www.usbankreliacard.com.

You are advised against using your ReliaCard for ongoing automatic bill pay. The ReliaCard is valid for any claim you file for the next two years. Keep it in a safe place and use this card again if you file again during that time. **A replacement fee is charged by U.S. Bank if you request a new card.**

What Happens if my ReliaCard is Stolen?

Call Cardholder Services at 1-855-279-1274 immediately to report your card lost/stolen and have a replacement card sent to you within 7-10 business days.

Child Support Deduction

When there is an agreement signed by you or an order from the court requiring payment to the Utah State Office of Recovery Services for child support payments, your weekly unemployment benefit amount may be reduced by up to 50%. The Utah State Office of Recovery Services controls the amount of child support withheld from your benefits. UI cannot make changes to any child support recovery payments or see any court orders. All questions related to child support deductions from your UI need to be directed to ORS. You can contact the Office of Recovery Services at 801-536-8500.

Retirement Deduction

Retirement income, including disability retirement, may be deducted from your weekly unemployment benefit amount.

If you apply for or receive any type of retirement or disability retirement income, you are required to report this information immediately by signing in to your "my Unemployment" account at jobs.utah.gov and selecting the Live Chat feature or contacting the CARE Team. After you have reported this information, a notice will be mailed to you if such income is to be deducted from your benefits. Failure to report retirement or disability retirement, or changes in that income, could result in a denial and possible overpayment of benefits. (See **Fraud and Penalties**)

If you receive retroactive retirement income covering a period of time for which you were also paid benefits, you will be responsible for any overpayment. You will be required to repay Workforce Services the amount of ineligible benefits you received for the period of time covered by the retirement.

Tax Liability

Unemployment benefits are taxable. You may choose to have 10% of your weekly benefit amount withheld for federal income taxes and 5% for state income taxes. Any

taxes withheld are immediately transmitted and reported to the Internal Revenue Service (IRS) and the State Tax Commission. You may change your tax withholding status for future benefits online at jobs.utah.gov, "Sign in" (in the upper right-hand corner) then "my Unemployment" and "Change Tax Withholding."

Workforce Services will send you a notice (Form 1099-G) by Jan. 31 each year stating the benefits paid and tax amounts withheld during the previous year. This notice, from 2007 through the current year, is available online by logging in to jobs.utah.gov and selecting "Useful Links" in the "Tools" box, then clicking "1099 Tax Information." Make sure Workforce Services has your most recent address, as the form will be mailed to the last address on your claim if you are not opted in for electronic correspondence. (See **Address Changes**) If you repaid any overpayment, please refer to the instructions on your tax form or call the IRS.

Closing a Claim (Back to Work Full Time)

When you find full-time, permanent employment, you can close your claim by signing in to your "my Unemployment" account at jobs.utah.gov and selecting the Live Chat feature or calling the CARE Team to report that you are back to work full-time.

The simplest way for you to close your claim is to stop filing. Workforce Services will automatically close your claim if you:

- Do not file a weekly claim within 27 days from the Saturday of the last week filed
- Report earnings equal to or in excess of your weekly unemployment benefit amount for four consecutive weeks

Reopening a Closed Claim

You may reopen your claim online at jobs.utah.gov. Your claim will be reopened effective the Sunday of the week in which you reopen your claim. You will need to provide

the dates of employment and the names of all companies for whom you have worked, if any, since you last claimed unemployment benefits. You will also need to provide the names, addresses and phone numbers for any out-of-state employers.

Eligibility Reviews

You may receive a notice to complete an online eligibility review. This review asks basic eligibility questions and requires you to provide your work search contacts. Your benefits may be denied if you:

- Fail to complete the eligibility review
- Fail to submit a list of your employer contacts
- List employer contacts that cannot be verified
- If you have received notice and fail to schedule and participate in a Re-Employment Services and Eligibility Assessment appointment

Audit of Your Claim

Claims are randomly selected for audits each week. Auditors verify anything that affects unemployment benefit eligibility, including work search, base period wages, job separation(s), school attendance and work and earnings during any weeks filed. If you are selected for an audit and fail to participate as required, your benefits may be denied.

Eligibility/Denial of Benefits

Even if you may have earned enough to qualify for unemployment benefits (see Base Period and Wage Requirements), you must meet other requirements to be eligible to receive those benefits. For example: If you quit or were fired from your job, a Workforce Services representative will request information from you and your

employer and will determine your eligibility for benefits.

If your separation from employment was for qualifying reasons as defined by unemployment insurance law, you will begin to receive benefits for weeks claimed if there are no other issues on your claim. If you are denied benefits, you will receive a written decision giving the dates of and reason for the denial. Read it carefully. It will include instructions for filing a timely appeal. Failure to file a timely appeal may prevent you from having the original decision changed.

You may be denied benefits if you:

- Quit or were discharged from your job
- Are unemployed due to a strike
- Are not able or available for and actively seeking full-time work
- Refuse or fail to apply for suitable work
- Have earnings equal to or more than your weekly benefit amount (this includes wages, vacation, paid/personal time off (PTO), holiday or separation pay)
- Are self-employed or working on a commission basis

This list does not include all the reasons for which benefits may be denied.

Overpayments

If you are paid unemployment benefits that you are not entitled to, an overpayment is created. An overpayment notice may accompany or follow a notice of denial and will contain repayment and appeal instructions. Benefit overpayments are established for the total weekly benefit amount including any deductions, such as child support or taxes, as well as any applicable penalties.

You should immediately repay the overpayment online at jobs.utah.gov/ui/home/home/paybackoverpayment. Failure

to do so may result in recovery of the overpayment by garnishment of your federal and/or state tax refunds, wages or a lien against your property.

If Workforce Services determines that you were not at fault in the creation of an overpayment and you meet the poverty guidelines, you may request a waiver of the non-fault overpayment.

Appeals

You have the right to appeal if you disagree with a decision made on your claim. If you file an appeal, an administrative law judge will schedule a hearing to address the appeal.

If you are still unemployed, or working part time and earning less than your weekly UI payment, make sure you continue to file for unemployment benefits each week during the appeal process. Otherwise, you may not be paid for the weeks you are unemployed even if the appeal is decided in your favor.

Submit your appeal in writing and state the reason(s) you believe the decision is incorrect. You must file your appeal by the deadline stated in the decision letter, or you may lose your right to appeal. Late appeals are considered if you can show good cause for the late appeal. The preferred method to file an appeal is online at jobs.utah.gov/appeals. However, you can also fax your appeal to 801-526-9242, or mail your appeal to Appeals Unit, P.O. Box 45244, Salt Lake City, UT 84145-0244.

After you file an appeal, you will receive a notice of a telephone hearing along with the information and documents used in making the original decision. Once you receive the notice of a hearing, immediately contact the Appeals Unit to verify your participation in the hearing and provide a telephone number where you can be reached at the time of the hearing. **Failure to contact the Appeals Unit prior to the hearing, as instructed in the hearing notice, will result in cancellation of your hearing.** The hearing notice

will contain important information on how to prepare for the hearing, including how to present evidence, documents and witnesses in support of your appeal. Read all information carefully and have it available during your hearing.

The unemployment insurance appeals process does not require that you have legal representation. Most individuals represent themselves. During the hearing, all parties are assisted in presenting their case by the administrative law judge. If you hire someone to represent you, you are responsible to pay any fees.

Your employer also has the right to appeal a decision allowing benefits. You will be notified of any appeal related to your benefits, so you can participate in that appeal hearing. If you have questions concerning the appeal process, more information is available online at jobs.utah.gov/appeals including a video that answers frequently asked questions and gives tips to prepare for your hearing. You can also call the Appeals Unit at 801-526-9300 or toll free at 1-877-800-0671.

Trade Act Benefits

Trade Act benefits assist workers who become unemployed as a result of (1) foreign imports, or (2), shifts in production or services to a foreign country. If you were laid off for one of these reasons and were included in a petition approved by the U.S. Department of Labor, you may be eligible for these benefits. Trade Act benefits may include:

- Trade Readjustment Allowances (TRA) income support
- Training allowances for full-time or part-time school
- Job-search allowances
- Relocation allowances
- Wage subsidies for workers over 50 years old who become re-employed at a lower wage than the former trade affected employment

If you have questions about your eligibility for these benefits, contact the CARE Team and ask for a Trade Act specialist.

Address Changes

You can change your mailing address, email address or phone number online at jobs.utah.gov. Unless you opt in for electronic correspondence, Workforce Services will mail you critical information that could affect your continuing eligibility to the address in its records.

Correspondence

You may choose to get all your unemployment benefit correspondence through the Electronic Correspondence Center web page. Electronic correspondence is convenient and easy to use. The advantages of electronic correspondence are:

- Immediate notification
- Ease of responding
- Correspondence history
- Postage savings
- No lost mail

If you opt in for electronic correspondence, it is your responsibility to regularly monitor your electronic inbox. For additional information or to sign up for electronic correspondence, go to jobs.utah.gov and select "Sign in" (in the upper right-hand corner) then "my Unemployment" and choose "Electronic Correspondence."

If you do not choose electronic correspondence, Workforce Services will mail all documents to your address on record.

Tips for Recording Job Search Activities

An unemployment week starts Sunday at 12 a.m. and ends Saturday at 11:59 p.m. At least four new, full-time job contacts must be made in this "Sunday through Saturday"

time period in order to count towards your eligibility. If your claim is selected for review, we may contact the employers you reported to verify the job contacts made. To prepare for this review, please consider the following:

- When applying through a website remember to document the website address, company offering the job (if available), job title and the job's ID number. For example: XYZ business.com, Company Name (if different from the website), customer service rep, job #1234
- Just looking at an employer's website is not a contact. You need to submit a resume or application through the website for the contact to count
- Applying to different positions at the same company can count as separate contacts as long as you document the different jobs. For example: Contact #1 = XYZ Company, office assistant, job #789. Contact #2 = XYZ Company, receptionist, job #9876
- Keep all email confirmations from employers during the time you file for unemployment benefits

**Unemployment Insurance Division
CARE Team Telephone Numbers:**

Salt Lake and South Davis Counties	801-526-4400
Weber and North Davis Counties	801-612-0877
Utah County	801-375-4067
Balance of State or Out of State	888-848-0688
Reschedule a Re-Employment Services and Eligibility Assessment appointment	801-526-4301

Hours

Monday - Thursday:

Phones open 7:00 am - 3:00 pm.

RESEA job search coaching interviews 3:00 pm - 5:00 pm.

Friday:

Phones open 7:00 am - 12:00 PM.

RESEA job search coaching interviews 12:00 pm - 5:00 pm.

Fax Numbers:

Adjudication	801-526-4402
Appeals	801-526-9242
Benefit Accuracy	801-596-2129
Benefit Payment Control	801-526-9800
CARE Team	801-526-4401

Address: P.O. Box 45266 • Salt Lake City, UT 84145-0266

Remember that you must report:

- Full-time, part-time or temporary work
- Paid training for any employer
- Military reserve or National Guard duty
- Work for non-profit or church
- Self-employment, contract or commission work
- Payment for providing childcare
- Holiday, severance, paid/personal time off (PTO) and vacation pay
- Tips
- Farming income
- Volunteer work
- Cash value of payment in kind

Job Search Record

Earnings Record

Remember that you must report:

- | Employment contract type | • Full-time, part-time or temporary work | • Paid training for any employer | • Military reserve or National Guard duty | • Work for non-profit or church |
|--------------------------|--|---|---|---------------------------------|
| Commission work | • Payment for providing childcare | • Holiday, severance, paid/personal time off (PTO) and vacation pay | • Farming income | • Volunteer work |
| Contract work | • Farming income | • Cash value of payment in kind | • Farming income | • Cash value of payment in kind |
| Part-time work | • Farming income | • Cash value of payment in kind | • Farming income | • Cash value of payment in kind |

Equal Opportunity is the Law

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases:

Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status and gender identity), national origin (including limited English proficiency), 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.

The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

What To Do If You Believe You Have Experienced 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 with either the recipient's Equal Opportunity Officer or the person whom the recipient has designated for this purpose:

Casey Cameron, State Equal Opportunity Officer
Utah Department of Workforce Services
P.O. Box 45249
Salt Lake City, UT 84145-0249
1-844-795-1697 or 801-526-9445
State Relay 711 or Spanish Relay 1-888-346-3162
eo@utah.gov

-OR-

Director, Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue NW
Room N-4123
Washington, DC 20210

Or electronically, as directed on the CRC website at www.dol.gov/oasam/programs/crc

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above). If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient). If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

Notes

State of Utah

Utah Department of Workforce Services

UI CARE Team

P.O. Box 45266

Salt Lake City, UT 84145-0266



**WORKFORCE
SERVICES
UNEMPLOYMENT INSURANCE**

jobs.utah.gov