

# Do I Qualify?

***Information on UI Benefits Qualifying | Tennessee Department of Labor and Workforce Development | Unemployment Insurance Division***

## Unemployed Through No Fault of Your Own

The Unemployment Insurance program provides benefits to workers who are unemployed through no fault of their own and who are able, available, and looking for work. You may file a claim for benefits the first day after becoming separated from employment or after your employer has significantly reduced your work hours. Information will be gathered from you as well as your separating employer and an agency determination will be based on whether you meet the eligibility requirements under state law.

You must have earned an average of \$780.01 in each of 2 quarters of a time frame called the Base Period, and the wages outside of the highest quarter are greater than or equal to the lesser of either \$900 or 6 times the weekly benefit amount. The total base period wages must be more than forty (40) times the weekly benefit amount. If you've earned sufficient wages during this time frame, the wages earned will then be used to calculate your weekly benefit amount and the number of weeks you may receive benefits. The Base Period is the first four of the last five completed calendar quarters prior to the quarter in which your initial claim is filed. A calendar quarter is three months of either January through March, April through June, July through September, or October through December.



You Must Be Able to Work

You must be physically able to work at the time you file your claim for benefits. Special provisions are available for individuals who become ill or disabled after filing an initial claim.

#### You Must Be Available For Work

You are required to complete a minimum combination of four job searches and/or re-employment activities (interviews, job fairs, etc.) each week and report this information on your weekly certification. You may also fulfill this requirement by accessing services at an American Job Center.

There are exceptions to this requirement for workers who:

Have a definite return to work date and will be returning to their employer in the near future

Accept work exclusively through a union hiring hall

Are enrolled in agency approved training

## Disqualifications

The following examples are the most common reasons why applicants do not qualify or are denied unemployment benefits.

Voluntarily quit without good work-related cause

Discharged for work-related misconduct

Participation in a labor dispute other than a lockout that is in active progress

Failure to seek or accept suitable work

# Information We Need From You

***Information Needed to Apply for UI Benefits | Tennessee Department of Labor and Workforce Development | Employment Security Division***



Entering accurate information is crucial for us to process your application. If you stop in the middle of the online application process because you don't have the required information, this could cause unnecessary delays or lock you out of your claim. With this in mind, it's best to have all of your information ready before you start.

Before you file, make sure you have the following:

## Your Personal Info

Social Security number

Driver's license number

Address

Telephone number

Valid email address

Alien Registration Card and Number

Tennessee Unemployment Insurance claimants receive their benefits via the Tennessee Way2Go debit card or direct deposit. To receive benefits by direct deposit, you'll need to provide your bank routing number and account number.

DD 214 Member 4 if you served in the military in the past 18 months

## Your Employment Info

Last 18 months of employment

Last day worked

Reason for separation (e.g., quit, fired, lack of work, laid off or job eliminated, etc.)

## Employer Info

Separating employer's name

Separating employer's address

Separating employer's telephone number

## What to Expect After You File

## After You Complete the Application:

Receive your Monetary Determination letter detailing what amounts you may qualify for if approved. This letter will be delivered electronically to your [Jobs4TN.gov](#) Unemployment Claimant e-Services account within one business day of completing your claim.

Complete your follow-up fact-finding questionnaire(s). Questionnaire(s) will be sent to your Unemployment Claimant e-Services account immediately after filing. You may locate any/all questionnaires requiring your attention on either your Summary screen or Action Center. These must be completed by the due date specified on the questionnaire.

Start looking for employment/completing your 4 weekly work search activities.

Log in to your Unemployment Claimant e-Services account each week to complete your Weekly Certification– this is where you'll report your 4 work search activities completed the prior week.

Receive your Non-monetary Determination detailing the findings of your claims (that is, whether you are approved for benefits or denied). Please note you may receive multiple Non-monetary Determination letters on your claim if other factors such as deductible pay or able and available status are applicable per your application answers.

## Progress of Your Unemployment Claim

You may easily track the status of your unemployment claim by reviewing the Benefit Details panel on the Summary screen of your [Jobs4TN.gov](#) Unemployment Claimant e-Services account.



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## Complete Your Fact-Finding Questionnaire(s)

To ensure the agency has all the information it needs to make an accurate decision on your claim, questionnaire(s) will be sent to your Unemployment Claimant e-Services account immediately after filing. You may locate any/all questionnaires requiring your attention on either your Summary screen or Action Center. These must be completed by the due date specified on the questionnaire (i.e., within 7 days of filing).



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## Start Your Weekly Certification

Log in to your [Jobs4TN.gov](#) Unemployment Claimant e-Services account each week to complete your Weekly Certification – this is where you'll report your 4 work search activities completed the prior week.

Each Sunday a new certification for the prior week will be made available on your e-Services account; the link to file your certification will be located on your Summary screen and within your Action Center.

Please note that if you wait more than 3 weeks to file your certification, your claim will be closed, and you will need to refile to begin certifying again. Any missed certifications will no longer be available for filing/compensation – this is why it's important that you file timely each week.

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## Waiting Week

If your claim is approved, the first week you certified for will serve as a waiting week. This Agency does not pay you for this week unless you certify for, and are eligible for four consecutive weeks. On the fourth consecutive week, you will receive a double payment; it will be a combination of your waiting week and fourth week of benefits.

Start your job search immediately and certify the first Sunday after your claim was filed. Even if you haven't been approved or denied yet, go ahead and attempt to certify. Keep certifying weekly until you find employment.

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## Monetary Determination

This is not an approval, but rather tells you how much you could receive if you are approved. This document tells you how many weeks you will receive unemployment.

Do not confuse the “benefit year” with how many weeks you will be eligible. The maximum number of weeks you can draw unemployment in Tennessee is 12 weeks.

If you believe that the wages are incorrect or an employer is missing during the past 18 months on your Monetary Determination, you may file a Wage Protest.

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## Wage Protest

A Wage Protest may be filed online for any missing or incorrect wages paid for work performed in the state of Tennessee during the standard base period. You may file a Wage Protest by going to [Jobs4TN.gov](http://Jobs4TN.gov) and logging in to your Unemployment Claimant e-Services account. Please contact us toll-free at 844-224-5818.

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## Debit Card Delivery

You will receive an empty [Way2Go Card® Debit MasterCard](#) by mail within 7-10 days from your application. You may instead receive your benefit by direct deposit if you prefer. For security reasons, we will not take your banking information and change your payment method. If your card is not delivered or you lose your card, please contact Way2Go customer service at 855-462-5887.

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# Non-Monetary Determination — Approval or Denial

Once the agency has finished processing your claim, you will receive a Non-monetary Determination letter detailing the findings of your claims (that is, whether you are approved for benefits, or denied). Please note you may receive multiple Non-monetary Determination letters on your claim if other factors such as deductible pay or able and available status are applicable per your application answers.

If you disagree with a decision made on your claim, you may file an appeal. Instructions on how to file an appeal are located on your Non-monetary Determination letter.

## Restarting Benefits

### Restarting Benefits after Temporary Work

When you take a temporary job and earn more than your weekly benefit amount, your benefits will stop. When your temporary assignment ends, you need to re-file for unemployment. The same rules for leaving this new employer apply; if you voluntarily quit or you are fired for just cause, you may not be eligible for benefits.

## Refiling for Benefits

When you apply for unemployment benefits, you establish an active unemployment account for 52 weeks. This is referred to as a benefit year. When your benefit year ends and you still require unemployment assistance, your claim will stop and require you to file a new claim. To be approved for benefits in a new benefit year, you must have earned five times your weekly benefit amount.

Example: Sue filed for benefits on January 1, 2014, and stopped in May (5 months). She was laid off again in the middle of December so she filed a new claim. Since her benefit year ended after 52 weeks, her benefit stopped and she had to apply again. Because Sue's benefit was \$100 a week, she had to have earned at least \$500 during the last year to qualify for a new claim.

## Unemployment Benefit Extensions

With the new Indexing policy, Tennesseans are only eligible for a maximum currently of 12 weeks of unemployment insurance in a year. If you exhaust your benefits, no extensions are available. To be eligible for unemployment again, you will have to meet several requirements:

You must have additional earnings from a "covered employer."

You must be laid off by no fault of your own.

And, you must apply after your benefit year has ended.

## Application Questions

# Choices for Separation

Lack of Work

*Laid off, your position was abolished, the business closed, or the plant shut down.*

Quit

*Voluntarily leaving suitable work without good cause attributable to the employer.*

Discharged

*Dismissed for violation of company rules, neglected given job responsibilities, etc.*

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## Questions Asked When You File a Claim for Unemployment Benefits

Address, contact, and mail delivery preference

You will be asked to verify/update your mailing address, contact information, and mail delivery preference.

Did you file and/or work out-of-state within the last 18 months?

If Yes, you'll also be asked to list which state(s) you have filed/worked in within the last 18 months.

Did you work for the federal government and/or military within the last 18 months?

If Yes, you'll be asked additional information concerning your employment/service within the last 18 months.

### Employment History

Our online system will gather all known employment under your SSN for the prior 18 months. You'll select each employer entry and complete a short questionnaire concerning your employment there.

Questionnaires include dates of hire/separation, type of employment and pay amount, whether you received deductible post-employment income (i.e., severance package), and your separation reason (i.e., laid off due to lack of work).

### Are you able and available and seeking work as directed by the department?

Are you currently attending school?

Are you a paid-up member of a labor union?

### Are you currently receiving workers' compensation?

Are you a business owner, independent contractor, or self employed worker and only received a 1099 tax form last year?

Do you make or owe child support payments?

If Yes, you'll be asked to provide which state(s) you currently owe child support payments in.

#### Payment Preference

You may select to either receive payment via a state-issued Way2Go debit card, or enter a checking or savings account for direct deposit.

#### Tax Withholding

Unemployment benefits are tax deductible. In Tennessee this is only applicable for federal taxes (10% of your weekly benefit amount). It is up to you if you would like for this federal tax to be withheld each week or not. If you have questions concerning this, please consult with your tax advisor.

## Common Issues When Applying Online

### Timeout

No pressure, but don't time out. The online system will start over if the Web page sits idle very long (approximately 15 minutes). This might freeze your claim and you would have to start over to file your claim to continue.

## “Back” Problems

Using the back button built into the browser will lock your claim so refrain from going back. Instead, please use the “Previous” button near the bottom of the page to go backwards during the online application.

## Wages in More than One State

If you worked in Tennessee during the past 18 months but moved to another state, you may, if you are unemployed, file a claim for benefits on those wages earned in Tennessee. If you worked in another state during the base period but moved to Tennessee, you may file a claim for benefits from another state. If your background is working for companies in one state other than Tennessee, you may need to refer to the list below. In some cases, your wages from two or more states may be combined to establish an eligible claim for benefits.

State Unemployment Insurance Offices

## School Employees

School personnel who have enough wages earned in employment other than in an educational institution may be paid benefits during any regularly scheduled break, such as vacation or holiday, even though they have reasonable assurance of reemployment immediately following the vacation or holiday period.

School personnel may be eligible for unemployment benefits between terms (during a vacation or other recess) if they do not have reasonable assurance of returning to an educational system following the recess period.

Those who are not directly employed by the school system, but become unemployed as a result of regularly scheduled breaks can be eligible for unemployment if they meet wage requirements, and have experienced fewer hours, but still have an expectation of returning to full-time work when school is back in session (ex. Bus drivers or janitors who are employees of a contracted employer).

## Avoiding Unemployment Fraud

An overpayment of benefits can be intentional such as someone who gives an intentional false statement, misrepresentation, or concealment of material information to obtain the benefits. It's more common that claimants collect benefits at the same time they are earning money at a new job. It's important that you stop certifying or report your income during certification while you earned it, and not wait until you get your first paycheck.

The department cross matches employee wages with unemployment benefit payments, and once fraudulent payments are determined, asks claimants to pay back these benefits. If these benefits aren't paid back voluntarily, then the department can be repaid through IRS tax refunds due to the individual.