

UNEMPLOYMENT COMPENSATION FOR EX-SERVICEMEMBERS (UCX)

WHAT IS THE UCX PROGRAM?

The Unemployment Compensation for Ex-Servicemembers (UCX) Program provides unemployment compensation (UC) benefits to individuals transitioning from military service to the civilian labor market.

UCX ELIGIBILITY REQUIREMENTS

1. The applicant must have been on active duty (or in active Reserve status) in the Military during the base period of the claim. In the majority of states, the base period is a one-year time span consisting of the last four out of the most recent five calendar quarters worked before filing the claim. Department of Defense military branches include the Army, Navy, Marine Corps, Air Force, and Coast Guard. The Army and Air Force have National Guard components within their branches of service. All branches of service have Reserve components. Former members of the Commissioned Corps of the National Oceanic and Atmospheric Administration (NOAA) are also covered under the UCX law, although they are not considered military branches.
2. The applicant must have been honorably discharged.
3. The applicant must have completed the first full term of service for which s/he enlisted, or if a Reservist, the individual must have completed 180 days of continuous active duty.
4. The applicant must meet all other state eligibility requirements.

If criteria 1-3 above are not met, the military service will not be considered Federal service and the applicant will be determined unable to use his or her military wages to qualify for UCX benefits.

States and the USDOL must accept information contained in military documents as final and conclusive, including any decisions furnished by the appropriate branch of the service concerning:

-) Whether the person performed active military service;
-) The beginning and ending dates of each period of service;
-) The number of days lost, if any, during periods of active duty;
-) The type of discharge or release from the latest period of Federal military service; and
-) The narrative reason for separation. Such decisions of the military are not subject to modification or reversal by the USDOL or a state's appellate authority (5 U.S.C. 8523(b)).

Once the UCX claim is filed, all other state continuing eligibility requirements apply. For general information on eligibility requirements, refer to the [Unemployment Insurance Fact Sheet](#). Web links to specific state eligibility requirements can be found on [CareerOneStop](#).

FILING AN UCX CLAIM

Unlike the regular UI programs, military wages are assigned to the state in which the applicant is physically present when filing the claim. Therefore, applicants would contact the state where they are physically located when filing for UCX benefits. Additionally, applicants should have their DD214's available when filing, as the state use the form to facilitate the claims filing process. To find state contact information, please visit the [Service Locator](#).

UCX ELIGIBILITY REQUIREMENTS

Once monetary eligibility is established, the continuing eligibility requirements for UCX claims are the same as for regular unemployment insurance claims. For general information on eligibility requirements, refer to the Unemployment Insurance Fact Sheet. Web links to specific state eligibility requirements can be found on [CareerOneStop](#).

CONTINUED CLAIM CERTIFICATIONS

The individual must continue to file weekly or biweekly claims for UCX benefits according to the instructions given by the state agency where the UCX claim is filed.

THE UCX WEEKLY BENEFIT AMOUNT (WBA) PAYABLE AND BENEFIT DURATION

Generally, benefits are based on a percentage of earnings over a recent 52-week period, and each state sets a maximum benefit amount. The WBA for UCX claims is calculated in the same manner as regular UI claims and is based on the individual's earnings during a base period that is defined by the applicable state law. The base period wages from military service are based on the applicant's pay grade prior to filing the UCX claim and are calculated using a "Schedule of Remuneration" that outlines pay rates for various pay grades. The Schedule of Remuneration is published each year by the U.S. Department of Labor.

Once a claim is filed, it is valid for a year and within that year individuals, who are otherwise eligible, may receive the available benefits while unemployed. The number of weeks payable is based on state law and is tied to the maximum benefit amount payable. Information on how states calculate the WBA and the can be found in the [Comparison of State UI Laws](#).

APPEALS

Individuals who are disqualified or denied benefits have the right to file an appeal of the denial. If the denial was based on the reason for discharge from the military, the individual must file an appeal with the military branch. If the denial was based on state law, individuals must file the appeal according to the instructions provided by the state on the determination notice. Appeals must be filed within an established timeframe as described in the determination provided by the state UI agency.

FEDERAL TAXES

UCX benefits are subject to Federal income tax. Individuals may elect to have Federal withholding deducted from their UCX payments. Individuals will receive Form 1099-G to file with their income tax return.

FUNDING OF UCX CLAIMS

States pay UCX benefits to eligible ex-servicemembers on behalf of the Federal government. The military branches reimburse state agencies dollar-for-dollar for all UCX benefits paid. There is no payroll deduction from a ex-servicemember's wages to support payment of UCX benefits.

LEGAL AUTHORITY

The Ex-Servicemen's Unemployment Compensation Act of 1958, Public Law 85-848, added Section 1511, which is now known as the Unemployment Compensation for Ex-Servicemembers (UCX) portion of Title XV of the Social Security Act. This act provides coverage to ex-servicemembers for unemployment compensation (UC) benefits; also called unemployment insurance (UI) benefits. Under the provisions of United States Code (USC) 5, Chapter 85, the United States Department of Labor (USDOL) is authorized to issue rules and regulations to carry out the provisions of the UCX Act. The USDOL's Employment and Training Administration (ETA), Office of Unemployment Insurance (OUI) has responsibility for administering these provisions.

The USDOL regulations implementing the requirements of the UCX Act are published in the Code of Federal Regulations at [20 CFR Part 614](#).

ADDITIONAL INFORMATION

Detailed information about the responsibilities of state UI agencies in administering the UCX program can be found in [ET Handbook No. 384](#), *Unemployment Compensation for Ex-Servicemembers*.