

1999-Sec 200

## **200. TAXATION**

The financing pattern of the State laws is influenced by the Federal Unemployment Tax Act, since employers may credit toward the Federal payroll tax the State contributions which they pay under an approved State law. They may credit also any savings on the State tax under an approved experience-rating plan. There is no Federal tax levied against employees.

The Federal payroll tax increased from 3.0 percent to 3.1 percent, effective January 1, 1961; from 3.1 percent to 3.2 percent, effective January 1, 1970; from 3.2 percent to 3.4 percent, effective January 1, 1977; from 3.4 percent to 3.5 percent effective January 1, 1983; and from 3.5 percent to 6.2 percent, effective January 1, 1985. The total credit against the Federal tax allowed employers for their contributions under approved State laws is limited to 5.4 percent.

### **205 SOURCE OF FUNDS**

All the States finance unemployment benefits mainly by contributions from subject employers on the wages of their covered workers; in addition, three States collect employee contributions. The funds collected are held for the States in the unemployment trust fund in the U.S. Treasury, and interest is credited to the State accounts. Money is drawn from this fund to pay benefits or to refund contributions erroneously paid.

States with depleted reserves may, under specified conditions, obtain advances from the Federal unemployment account to finance benefit payments. If the required amount is not restored by November 10 of a specified taxable year, the allowable credit against the Federal tax for that year is decreased in accordance with the provisions of section 3302(c) of the Federal Unemployment Tax Act. Beginning 1982 a State's decrease in allowable credit is capped (starting with 1981 wages) if the State meets certain solvency requirements. Interest is now added to the formerly interest free advances from the Federal unemployment account.

**205.01 EMPLOYER CONTRIBUTIONS.**--In most States the standard rate--the rate required of employers until they are qualified for a rate based on their experience--is 5.4 percent, the maximum allowable credit against the Federal tax. Similarly, in some States, the employer's contribution, like the Federal tax, is based on the first \$7,000 paid to (or earned by) a worker within a calendar year. Deviations from this pattern are shown in Table 200.

Most States follow the Federal pattern in excluding from taxable wages payment by the employee's tax for Federal old-age and survivors insurance, and payments from or to certain special benefit funds for employees. Under the State laws, wages include the cash value of remuneration paid in any medium other than cash and tips received in the course of employment and included in a written statement furnished to the employer.

In every State an employer is subject to certain interest or penalty payments for delay or default in payment of contributions, and usually incurs penalties for failure or delinquency in making reports. Wyoming also requires large employers working on temporary projects in the State to post a bond in addition to contributions to insure payment of all benefits ultimately due its former employees. In addition, the State administrative agencies have legal recourse to collect contributions, usually involving jeopardy assessments, levies, judgments, liens, and civil suits.

The employer who has overpaid is entitled to a refund in every State. Such refunds may be made within time limits ranging from 1 to 6 years; in a few States no limit is specified.

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**205.02 STANDARD RATES.**--The standard rate of contributions under all but a few State laws is 5.4 percent. Some States charge a higher standard rate for employer's with a negative balance. In Maryland the standard rate is 7.5 percent, in Utah 8.0 percent and in Wyoming 8.5 percent. In North Dakota, the standard rate is the maximum rate in effect for a year. Kansas, Missouri and Rhode Island have no standard contribution rate, although employers in Kansas not eligible for an experience rate, and not considered as newly covered, pay at the maximum rate; Oregon has no standard rate and employers not eligible for an experience rate pay at rates ranging from 2.7 to 3.5 percent, depending on the rate schedule in effect for rated employers.

In most States, new and newly-covered employers pay a rate lower than the standard rate until they meet the requirements for experience rating (Table 202). In a few States they pay the standard rate, while in some States they pay a higher rate because of provisions requiring all employers to pay an additional contribution. In Wisconsin an additional rate of 1.3 percent will be required of a new employer if the account becomes overdrawn and the payroll is \$20,000 or more. In other States, the additional contribution provisions are applied when fund levels reach specified points or to restore to the fund amounts expended for noncharged or ineffectively charged benefits. Ineffectively charged benefits include those paid and charged to inactive and terminated accounts and those paid and charged to an employer's experience rating account after the previously charged benefits to the account were sufficient to qualify the employer for the maximum contribution rate. See section 235 for noncharging of benefits. The maximum total rate that would be required of new or newly-covered employers under these provisions is 2.9 percent in Arkansas; 3.2 percent in Missouri; 3.7 percent in New York; and 4.2 percent in Delaware. No maximum rate is specified for new employers in Wyoming.

**205.03 TAXABLE WAGE BASE.**--More than half of the States have adopted a higher tax base than that provided in the Federal Unemployment Tax Act. In these States an employer pays a tax on wages paid to (or earned by) each worker within a calendar year up to the amount specified in Table 200. In addition, most of the States provide an automatic adjustment of the wage base if the Federal law is amended to apply to a higher wage base than that specified under State law (Table 200).

**205.04 EMPLOYEE CONTRIBUTIONS.**--Only Alaska, New Jersey and Pennsylvania collect employee contributions and of the nine States<sup>1/</sup> that formerly collected such contributions, only New Jersey does so now. The wage base used for the collection of employee contributions is the same as used for their employers (Table 200). Employee contributions are deducted by the employer from the workers' pay and sent with the employer's own contribution to the State agency. In New Jersey employees pay contributions as high as 0.40 percent. However, between April 1996 and December 1997 no employee contributions were deposited to the New Jersey unemployment compensation fund. In Alaska employee contribution rates vary from 0.5 percent to 1.0 percent, depending on the rate schedule in effect. In Pennsylvania employees pay contributions of 0.1 percent of all wages paid for employment.

**205.05 FINANCING OF ADMINISTRATION.**--The Social Security Act undertook to assure adequate provisions for administering the unemployment insurance program in all States by authorizing Federal grants to States to meet the total cost of "proper and efficient administration" of approved State unemployment insurance laws.

Receipts from the residual Federal unemployment tax--0.3 percent of taxable wages through calendar year 1960, 0.4 percent through calendar year 1969; 0.5 through 1976; 0.7 through 1982; and 0.8 thereafter--are automatically appropriated and credited to the employment security administration account--one of three accounts--in the Federal Unemployment Trust

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<sup>1/</sup>Ala., Calif., Ind., Ky., La., Mass., N.H., N.J. and R.I.

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Fund. Congress appropriates annually from the administration account the funds necessary for administering the Federal-State employment security program. A second account is the Federal unemployment account. Funds in this account are available to the State for repayable advances to States with low reserves with which to pay benefits. A third account--the extended unemployment compensation account--is used to reimburse the States for the Federal share of Federal-State extended benefits.

On June 30 of each year the net balance and the excess in the employment security administration account are determined. Under Public Law 91-373, enacted in 1970, no transfer from the administration account to other accounts is made until the amount in that account is equal to 40 percent of the amount appropriated by the Congress for the fiscal year for which the excess is determined. Transfers to the extended unemployment compensation account from the employment security administration account are equal to one-tenth (before April 1972, one-fifth) of the net monthly collections. After June 30, 1972, the maximum fund balance in the extended unemployment compensation account will be the greater of \$750 million or 0.125 percent of total wages in covered employment for the preceding calendar year. At the end of the fiscal year, any excess not retained in the administration account or not transferred to the extended unemployment compensation account is used first to increase the Federal unemployment account to the greater of \$550 million or 0.125 percent of total wages in covered employment for the preceding calendar year. Thereafter, except as necessary to maintain legal maximum balances in these three accounts, excess tax collections are to be allocated to the accounts of the States in the unemployment trust fund in the same proportion that their covered payrolls bear to the aggregate covered payrolls of all States.

The sums allocated to the States' trust accounts are to be generally available for benefit purposes. Under specified conditions a State may, however, through a special appropriation act of its legislature, use the allocated sums to supplement Federal administrative grants in financing its operation. Forty-six<sup>1</sup>/ States have amended their unemployment insurance laws to permit use of some of such sums for administrative purposes, and most States have appropriated funds for buildings, supplies, and other administrative expenses.

**205.06 SPECIAL STATE FUNDS.**--Fifty-one<sup>2</sup>/ States have set up special administrative funds, made up usually of interest on delinquent contributions, fines and penalties, to meet special needs. The most usual statement of purpose includes one or more of these three items: (1) to cover expenditures for which Federal funds have been requested but not yet received, subject to repayment to the fund; (2) to pay costs of administration found not to be properly chargeable against funds obtained from Federal sources; and (3) to replace funds lost or improperly expended for purposes other than, or in amounts in excess of, those found necessary for proper administration. A few of these States provide for the use of such funds for the purchase of land and erection of buildings for agency use, for the payment of interest on Federal advances, and in North Carolina, for enlargement, extension, repairs or improvement of buildings and for the temporary stabilization of Federal funds cash flow. In Maine, money from this fund may be transferred to the Wage Assurance Fund established to assure employees a week of wages when an employer has terminated a business with no assets for payment of wages or when he files bankruptcy. In New York the fund may be used to finance training, subsistence, and transportation allowances for individuals receiving approved training. In Indiana the fund may be used to finance training and for counseling assistance. In Puerto Rico the fund may be used to pay benefits to workers who have partial earnings in exempt employment. In some States the fund is limited; when it exceeds a specified sum the excess is transferred to the unemployment compensation fund or, in one State, to the general fund. Fewer than half of the States have enacted special funds to pay interest on Federal advances.

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<sup>1</sup>/All States except Del., D.C., Ill., N.C., Okla., P.R. and S.Dak.

<sup>2</sup>/All States except Mont. and N.Dak.

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### **210 TYPE OF FUND**

The first State system of unemployment insurance in this country (Wisconsin) set up a separate reserve for each employer. To this reserve were credited the contributions of the employer and from it were paid benefits to the employees so long as the account had a credit balance. Most of the States enacted "pooled-fund" laws on the theory that the risk of unemployment should be spread among all employers and that workers should receive benefits regardless of the balance of the contributions paid by the individual employer and the benefits paid to such workers. All States now have pooled unemployment funds.

### **215 EXPERIENCE RATING**

All State laws have in effect some system of experience rating by which individual employers' contribution rates are varied from the standard rate on the basis of their experience with the risk of unemployment. For special financing provisions applicable to governmental entities, see section 250.

**215.01 FEDERAL REQUIREMENTS FOR EXPERIENCE RATING.**--State experience-rating provisions have developed on the basis of the additional credit provisions of the Social Security Act, now the Federal Unemployment Tax Act, as amended. The Federal law allows employers additional credit for a lowered rate of contribution if the rates were based on not less than 3 years of "experience with respect to unemployment or other factors bearing a direct relation to unemployment risk." This requirement was modified by amendment in 1954 which authorized the States to extend experience-rating tax reductions to new and newly covered employers after they have had at least 1 year of such experience. The requirement was further modified by the 1970 amendments which permitted the States to allow a reduced rate (but not less than one percent) on a "reasonable basis".

**215.02 STATE REQUIREMENTS FOR EXPERIENCE RATING.**--In most States 3 years of experience with unemployment means more than 3 years of coverage and contribution experience. Factors affecting the time required to become a "qualified" employer include (1) the coverage provisions of the State law ("at any time" vs. 20 weeks; Table 100); (2) in States using benefits or benefit derivatives in the experience-rating formula, the type of base period and benefit year and the lag between these two periods, which determine how soon a new employer may be charged for benefits; (3) the type of formula used for rate determination; and (4) the length of the period between the date as of which rate computations are made and the effective date for rates.

### **220 TYPES OF FORMULAS FOR EXPERIENCE RATING**

Under the general Federal requirements, the experience-rating provisions of State laws vary greatly, and the number of variations increases with each legislative year. The most significant variations grow out of differences in the formulas used for rate determinations. The factor used to measure experience with unemployment is the basic variable which makes it possible to establish the relative incidence of unemployment among the workers of different employers. Differences in such experience represent the major justification for differences in tax rates, either to provide an incentive for stabilization of employment or to allocate the cost of unemployment. At present there are four distinct systems, usually identified as reserve-ratio, benefit-ratio, benefit-wage-ratio, and payroll-decline formulas. A few States have combinations of the systems.

In spite of significant differences, all systems have certain common characteristics. All formulas are devised to establish the relative experience of individual employers with unemployment or with benefit costs. To this end, all have factors for measuring each employer's experience with unemployment or benefit expenditures, and all compare this experience

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with a measure of exposure--usually payrolls--to establish the relative experience of large and small employers. However, the four systems differ greatly in the construction of the formulas, in the factors used to measure experience and the methods of measurement, in the number of years over which the experience is recorded, in the presence or absence of other factors, and in the relative weight given the various factors in the final assignment of rates.

**220.01 RESERVE-RATIO FORMULA.**--The reserve-ratio was the earliest of the experience-ratio formulas and continues to be the most popular. It is now used in 33 States (Table 200). The system is essentially cost accounting. On each employer's record are entered the amount of his payroll, his contributions, and the benefits paid to his workers. The benefits are subtracted from the contributions, and the resulting balance is divided by the payroll to determine the size of the balance in terms of the potential liability for benefits inherent in wage payments. The balance carried forward each year under the reserve-ratio plan is ordinarily the difference between the employer's total contributions and the total benefits received by his workers since the law became effective. In the District of Columbia, Idaho and Louisiana, contributions and benefits are limited to those since a certain date in 1939, 1940, or 1941, and in Rhode Island they are limited to those since October 1, 1958, and in Montana those since October 1, 1981. In Missouri they may be limited to the last 5 years if that works to an employer's advantage. In New Hampshire an employer whose rate is determined to be 3.5 percent or over may make an irrevocable election to have his rate computed thereafter on the basis of his 5 most recent years of experience. However, his new rate may not be less than 2.7 percent except for uniform rate reduction based on the fund balance.

The payroll used to measure the reserves is ordinarily the last 3 years but Massachusetts, South Carolina, Virgin Islands and Wisconsin figure reserves on the last year's payrolls only. Idaho and Nebraska use 4 years. Arkansas gives the employer the advantage of the lesser of the average 3- or 5-year payroll, or, at his option, the last year's payroll. New Jersey protects the fund by using the higher of the average 3- or 5-year payroll.

The employer must accumulate and maintain a specified reserve before his rate is reduced; then rates are assigned according to a schedule of rates for specified ranges of reserve ratios--the higher the ratio, the lower the rate. The formula is designed to make sure that no employer will be granted a rate reduction unless over the years he contributes more to the fund than his workers draw in benefits. Also, fluctuations in the State fund balance affect the rate that an employer will pay for a given reserve; an increase in the State fund may signal the application of an alternative tax rate schedule in which a lower rate is assigned for a given reserve and, conversely, a decrease in the fund balance may signal the application of an alternative tax schedule which requires a higher rate.

**220.02 BENEFIT-RATIO FORMULA.**--The benefit-ratio formula also uses benefits as the measure of experience, but eliminates contributions from the formula and relates benefits directly to payrolls. The ratio of benefits to payrolls is the index for rate variation. The theory is that, if each employer pays a rate which approximates his benefit ratio, the program will be adequately financed. Rates are further varied by the inclusion in the formulas of three or more schedules, effective at specified levels of the State fund in terms of dollar amounts or a proportion of payrolls or fund adequate percentage. In Florida and Wyoming an employer's benefit ratio becomes his contribution rate after it has been adjusted to reflect noncharged benefits and balance of fund. The adjustment in Florida also considers excess payments. In Pennsylvania rates are determined on the basis of three factors--reserve ratio, benefit ratio, and State adjustment. In Michigan rates are also based on the sum of three factors--the employer's experience rate, a State rate to recover noncharged or ineffectively charged benefits, and an adjustment rate to recover fund benefit costs not otherwise recoverable. In Utah rates are based on 3 factors--the reserve factor, social tax and experience. In Texas rates are based on a deficit tax ratio and a State replenishment ratio in addition to the employer's benefit ratio.

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Unlike the reserve-ratio, the benefit-ratio system is geared to short-term experience. Only the benefits paid in the most recent 3 years are used in the determination of the benefit ratios except in Utah, Virginia and Washington where the last 4 years of benefits are used and in Iowa, Michigan and Minnesota where the last 5 years of benefits are used (Table 203).

**220.03 BENEFIT-WAGE-RATIO FORMULA.**--The benefit-wage formula is radically different. It makes no attempt to measure all benefits paid to the workers of individual employers. The relative experience of employers is measured by the separations of workers which result in benefit payments, but the duration of their benefits is not a factor. The separations, weighted with the wages earned by the workers with each base-period employer, are recorded on each employer's experience-rating record as benefit wages. Only one separation per beneficiary per benefit year is recorded for any one employer, but the charging of any benefit wages has been postponed until benefits have been paid in the State specified: in Oklahoma until payment is made for the second week of unemployment. The index which is used to establish the relative experience of employers is the proportion of each employer's payroll which is paid to those of his workers who become unemployed and receive benefits; i.e., the ratio of his benefit wages to his total taxable wages.

The formula is designed to assess variable rates which will raise the equivalent of the total amount paid out as benefits. The percentage relationship between total benefit payments and total benefit wages in the State during 3 years is determined. This ratio, known as the State experience factor, means that, on the average, the workers who drew benefits received a certain amount of benefits for each dollar of benefit wages paid and the same amount of taxes per dollar of benefit wages is needed to replenish the fund. The total amount to be raised is distributed among employers in accordance with their benefit-wage ratios; the higher the ratio, the higher the rate.

Individual employer's rates are determined by multiplying the employer's experience factor by the State experience factor. The multiplication is facilitated by a table which assigns rates which are the same as, or slightly more than, the product of the employer's benefit-wage ratio and the State factor. The range of the rates is, however, limited by a minimum and maximum. The minimum and the rounding upward of some rates tend to increase the amount which would be raised if the plan were affected without the table; the maximum, however, decreases the income from employers who would otherwise have paid higher rates.

**220.04 PAYROLL VARIATION PLAN.**--The payroll variation plan is independent of benefit payments to individual workers; neither benefits nor any benefit derivatives are used to measure unemployment. Experience with unemployment is measured by the decline in an employer's payroll from quarter to quarter or from year to year. The declines are expressed as a percentage of payrolls in the preceding period, so that experience of employers with large and small payrolls may be compared. If the payroll shows no decrease or only a small percentage decrease over a given period, the employer will be eligible for the largest proportional reductions.

Alaska measures the stability of payrolls from quarter to quarter over a 3-year period; the changes reflect changes in general business activity and also seasonal or irregular declines in employment.

The payroll variation plan uses a variety of methods for reducing rates. Alaska arrays employers according to their average quarterly decline quotients and groups them on the basis of cumulative payrolls in 10 classes for which rates are specified in a schedule.

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### **225 TRANSFER OF EMPLOYERS' EXPERIENCE**

Because of Federal requirements, no rate can be granted based on experience unless the agency has at least a 1-year record of the employer's experience with the factors used to measure unemployment. Without such a record there would be no basis for rate determination. For this reason all State laws specify the conditions under which the experience record of a predecessor employer may be transferred to an employer who, through purchase or otherwise, acquires the predecessor's business. In some States (Table 204) the authorization for transfer of the record is limited to total transfers; i.e., the record may be transferred only if a single successor employer acquires the predecessor's organization, trade, or business and substantially all its assets. In other States the provisions authorize partial as well as total transfers; in these States, if only a portion of a business is acquired by any one successor, that part of the predecessor's record which pertains to the acquired portion of the business may be transferred to the successor.

In most States the transfer of the record in cases of total transfer automatically follows whenever all or substantially all of a business is transferred. In the remaining States the transfer is not made unless the employers concerned request it.

Under most of the laws, transfers are made whether the acquisition is the result of reorganization, purchase, inheritance, receivership, or any other cause. Delaware, however, permits transfer of the experience record to a successor only when there is substantial continuity of ownership and management.

Some States condition the transfer of the record on what happens to the business after it is acquired by the successor. For example, in some States there can be no transfer if the enterprise acquired is not continued (Table 204); in 3 of these States (California, District of Columbia and Wisconsin) the successor must employ substantially the same workers. In 22 States<sup>1/</sup> successor employers must assume liability for the predecessor's unpaid contributions, although in the District of Columbia, Massachusetts and Wisconsin, successor employers are only secondarily liable.

Most States establish by statute or regulation the rate to be assigned the successor employer from the date of the transfer to the end of the rate year in which the transfer occurs. The rate assignments vary with the status of the successor employer prior to the acquisition of the predecessor's business. Over half the States provide that an employer who has a rate based on experience with unemployment shall continue to pay that rate for the remainder of the rate year; the others, that a new rate be assigned based on the employer's own record combined with the acquired record (Table 204).

### **230 DIFFERENCES IN CHARGING METHODS**

Various methods are used to identify the employer who will be charged with benefits when a worker becomes unemployed and draws benefits. Except in the case of very temporary or partial unemployment, compensated unemployment occurs after a worker-employer relationship has been broken. Therefore, the laws indicate in some detail which one or more of the former employers should be charged with the claimant's benefits. In the reserve-ratio and benefit-ratio States, it is the claimant's benefits that are charged, in the benefit-wage States, the benefit wages. There is, of course, no charging of benefits in the payroll-decline systems.

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<sup>1/</sup>Ariz., Ark., Calif., D.C., Ga., Idaho, Ill., Ind., Ky., Maine, Mass., Mich., Minn., Mo., Nebr., N.H., N.Mex., Ohio, Okla., S.C., W.Va. and Wisc.



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In most States the maximum amount of benefits to be charged is the maximum amount for which any claimant is eligible under the State law. In Arkansas, Colorado, Michigan and Oregon, an employer who willfully submits false information on a benefit claim to evade charges is penalized: in Arkansas, by charging the employer's account with twice the claimant's maximum potential benefits; in Oregon, with 2 to 10 times the claimant's weekly benefit amount; in Colorado, with 1-1/2 times the amount of benefits due during the delay caused by the false statement and all of the benefits paid to the claimant during the remainder of the benefit year; and in Michigan by a forfeiture to the Commission of an amount equal to the total benefits which are or would be allowed the claimant.

In the States with benefit-wage-ratio formulas, the maximum amount of benefit wages charged is usually the amount of wages required for maximum annual benefits; in Alabama and Delaware, the maximum taxable wages.

**230.01 CHARGING MOST RECENT EMPLOYERS.**—In four States, Georgia, Maine, New Hampshire and South Carolina, with a reserve-ratio system, Virginia with a benefit-wage-ratio system, the most recent employer gets all the charges on the theory of primary responsibility for the unemployment.

All the States that charge benefits to the last employer relieve an employer of these charges if only casual or short-time employment is involved. Maine limits charges to a most recent employer who employed the claimant for more than 5 consecutive weeks; Kentucky, less than 10 weeks; New Hampshire, more than 4 weeks; Illinois and Virginia, at least 30 days. South Carolina omits charges to employers who paid a claimant less than eight times the weekly benefit.

**230.02 CHARGING BASE-PERIOD EMPLOYERS IN INVERSE CHRONOLOGICAL ORDER.**—Some States limit charges to base-period employers but charge them in inverse order of employment (Table 205). This method combines the theory that liability for benefits results from wage payments with the theory of employer responsibility for unemployment; responsibility for the unemployment is assumed to lessen with time, and the more remote the employment from the period of compensable unemployment, the less the probability of an employer being charged. A maximum limit is placed on the amount that may be charged any one employer; when the limit is reached, the next previous employer is charged. The limit is usually fixed as a fraction of the wages paid by the employer or as a specified amount in the base period or in the quarter, or as a combination of the two. Usually the limit is the same as the limit on the duration of benefits in terms of quarterly or base-period wages (sec. 335.04).

In Michigan the amount of the charges against any one employer is limited by the extent of the claimant's employment with that employer; i.e., the number of credit weeks earned with that employer. In Colorado charges are omitted if an employer paid \$500 or less, and \$100 or less in South Dakota.

If a claimant's unemployment is short, or if the last employer in the base period employed the claimant for a considerable part of the base period, this method of charging employers in inverse chronological order gives the same results as charging the last employer in the base period. If a claimant's unemployment is long, such charging gives much the same results as charging all base-period employers proportionately.

All the States that provide for charging in inverse order of employment have determined, by regulation, the order of charging in case of simultaneous employment by two or more employers.

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**230.03 CHARGING IN PROPORTION TO BASE-PERIOD WAGES.**--On the theory that unemployment results from general conditions of the labor market more than from a given employer's separations, the largest number of States charge benefits against all base-period employers in proportion to the wages earned by the beneficiary with each employer. Their charging methods assume that liability for benefits is inherent in wage payments. This also is true in a State that charges all benefits to a principal employer.

For example in two States employers responsible for a small amount of base-period wages are relieved of charges. A Florida employer who paid a claimant less than \$100 in the base period is not charged and in Connecticut if the employer paid \$500 or less. See Table 205, footnote 6.

### **235 NONCHARGING OF BENEFITS**

In many States there has been a tendency to recognize that the costs of benefits of certain types should not be charged to individual employers. This has resulted in "noncharging" provisions of various types in practically all State laws which base rates on benefits or benefit derivatives (Table 205). In the States which charge benefits, certain benefits are omitted from charging as indicated below; in the States which charge benefit wages, certain wages are not counted as benefit wages. Such provisions are, of course, not applicable in States in which rate reductions are based solely on payroll decreases.

The omission of charges for benefits based on employment of short duration has already been mentioned (sec. 230, and Table 205, footnote 6). The postponement of charges until a certain amount of benefits has been paid (sec. 220.03) results in noncharging of benefits for claimants whose unemployment was of very short duration. In many States, charges are omitted when benefits are paid on the basis of an early determination in an appealed case and the determination is eventually reversed. In many States, charges are omitted for reimbursements in the case of benefits paid under a reciprocal arrangement authorizing the combination of the individual's wage credits in 2 or more States; i.e., situations when the claimant would be ineligible in the State without the out-of-State wage credits. In Connecticut, District of Columbia, Massachusetts and Rhode Island dependents' allowances are not charged to employers' accounts.

The laws in Alabama, Arizona, California, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Minnesota, Mississippi, Missouri, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Vermont, West Virginia and Wyoming provide that an employer who employed a claimant part time in the base period and continues to give substantial equal part-time employment is not charged for benefits.

Four States (Arkansas, Colorado, Maine, and North Carolina) have special provisions or regulations for identifying the employer to be charged in the case of benefits paid to seasonal workers; in general, seasonal employers are charged only with benefits paid for unemployment occurring during the season, and nonseasonal employers, with benefits paid for unemployment at other times.

The District of Columbia, Georgia, Hawaii, Kansas, Louisiana, Maine, Massachusetts, Mississippi, Montana, New Hampshire, New Mexico, North Carolina, North Dakota, Oregon, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia and Wyoming provide that benefits paid to an individual taking approved training shall not be charged to the employer's account. In Minnesota and Virginia benefits may be noncharged if an offer to rehire has been refused because the individual is in approved training.

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Colorado, Mississippi and Oklahoma provide that benefits paid to an individual hired to replace a serviceperson called into active duty and laid off upon that serviceperson's return shall not be charged to the employer's account. Montana has a similar provision whereby benefits paid to an individual will be noncharged if the employer's business closed because he/she was called for active military duty.

New York established a demonstration project which allows claimants in approved training to receive additional benefits. These additional benefits will be charged to the general account.

Another type of omission of charges is for benefits paid following a period of disqualification for voluntary quit, misconduct, or refusal of suitable work or for benefits paid following a potentially disqualifying separation for which no disqualification was imposed; e.g., because the claimant had good personal cause for leaving voluntarily, or because of a job which lasted throughout the normal disqualification period and then was laid off for lack of work. The intent is to relieve the employer of charges for unemployment, caused by circumstances beyond the employer's control, by means other than limiting good cause for voluntary leaving to good cause attributable to the employer, disqualification for the duration of the unemployment, or the cancellation of wage credits. The provisions vary with variations in the employer to be charged and with the disqualification provisions (sec. 425), particularly as regards the cancellation and reduction of benefit rights. In this summary, no attempt is made to distinguish between noncharging of benefits or benefit wages following a period of disqualification and noncharging where no disqualification is imposed. Most States provide for noncharging where voluntary leaving or discharge for misconduct is involved and some States, refusal of suitable work (Table 205). A few of these States limit noncharging to cases where a claimant refuses reemployment in suitable work.

In Florida and South Dakota, benefits are not charged if an individual is discharged for unsatisfactory performance during a probationary period and if there is conclusive evidence of unsatisfactory work and that the probationer was not separated because employment was not of a permanent nature.

Connecticut has a provision for canceling specified percentages of charges if the employer rehires the worker within specified periods.

Alabama, Colorado, Florida, Georgia, Hawaii, Iowa, Minnesota, North Carolina, North Dakota, Oklahoma, Pennsylvania (limited to the first 8 weeks of benefits), Rhode Island, South Dakota, Tennessee, Texas, Washington (if employer requests the exemption and if the commission approves it), and Wyoming exempt from charging benefits paid for unemployment due directly to a disaster if the claimant would otherwise have been eligible for disaster benefits (Table 205, footnote 12). Connecticut noncharges benefits paid for unemployment resulting from physical damage to a place of employment caused by severe weather conditions. Minnesota also noncharges benefits paid following disasters under certain conditions regardless of eligibility for disaster benefits.

### **240 REQUIREMENTS FOR REDUCED RATES**

In accordance with the Federal requirements for experience rating, no reduced rates were possible in any State during the first 3 years of its unemployment insurance law. Except for Wisconsin, whose law preceded the Social Security Act, no reduced rates were effective until 1940.

The requirements for any rate reduction vary greatly among the States, regardless of type of experience-rating formula.

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**240.01 PREREQUISITES FOR ANY REDUCED RATES.**--Less than half the State laws now contain some requirement of a minimum fund balance before any reduced rate may be allowed. The solvency requirement may be in terms of millions of dollars; in terms of a multiple of benefits paid; in terms of a percentage of payrolls in certain past years; in terms of whichever is greater, a specified dollar amount or a specified requirement in terms of benefits or payroll; or in terms of a particular fund solvency factor or fund adequacy percentage (Table 206). Regardless of form, the purpose of the requirement is to make certain that the fund is adequate for the benefits that may be payable.

A more general provision is included in the New Hampshire law. In New Hampshire a flat rate may be set if the commissioner determines that the solvency of the fund no longer permits reduced rates.

In more than half the States there is no provision for a suspension of reduced rates because of low fund balances. In most of these States, rates are increased (or a portion of all employers' contributions is diverted to a specified account) when the fund (or a specified amount in the fund) fall below the levels indicated in Table 206.

**240.02 REQUIREMENTS FOR REDUCED RATES FOR INDIVIDUAL EMPLOYERS.**--Each State law incorporates at least the Federal requirements (sec. 215.01) for reduced rates of individual employers. A few require more than 3 years of potential benefits for their employees or of benefit chargeability; a few require recent liability for contributions (Table 203). Many States require that all necessary contribution reports must have been filed and all contributions due must have been paid. If the system uses benefit charges, contributions paid in a given period must have exceeded benefit charges.

### **245 RATES AND RATE SCHEDULES**

In almost all States rates are assigned in accordance with rate schedules in the law; in Nebraska in accordance with a rate schedule in a regulation required under general provisions in the law. The rates are assigned for specified reserve ratios, benefit ratios, or for specified benefit-wage ratios. In Arizona the rates assigned for specified reserve ratios are adjusted to yield specified average rates. In Alaska rates are assigned according to specified payroll declines; and in Connecticut, Idaho, Kansas and Montana according to employers' experience arrayed in comparison with other employers' experience.

**245.01 FUND REQUIREMENTS FOR RATES AND RATE SCHEDULES.**--In most States the level of the balance in the State's unemployment fund, as measured at a prescribed time each year, determines which one of two or more rate schedules will be applicable for the following year. Thus, an increase in the level of the fund usually results in the application of a rate schedule under which the prerequisites for given rates are lowered. In some States, employers' rates may be lowered as a result of an increase in the fund balance, not by the application of a more favorable schedule, but by subtracting a specified amount from each rate in a single schedule, by dividing each rate in the schedule by a given figure, or by adding new lower rates to the schedule. A few States with benefit-wage-ratio systems provide for adjusting the State factor in accordance with the fund balance as a means of raising or lowering all employers' rates. Although these laws may contain only one rate schedule, the changes in the State factor, which reflect current fund levels, change the benefit-wage-ratio prerequisite for a given rate.

**245.02 RATE REDUCTION THROUGH VOLUNTARY CONTRIBUTIONS.**--In about half the States employers may obtain lower rates by voluntary contributions (Table 200). The purpose of the voluntary contribution provision in States with reserve-ratio formulas is to increase the balance in the employer's reserve so that a lower rate is assigned which will save more than the amount of the voluntary contribution. In Minnesota, with a benefit-ratio system, the purpose is to permit an employer to pay voluntary contributions to cancel benefit charges to the account and thus reduce the benefit ratio.

## **TAXATION**

**245.03 COMPUTATION DATES AND EFFECTIVE DATES.**--In most States the effective date for new rates is January 1; in others July 1. In most States the computation date for new rates is a date 6 months prior to the effective date.

A few States have special computation dates for employers first meeting the requirements for computation of rates (Table 202, footnote 5).

**245.04 MINIMUM RATES.**--Minimum rates in the most favorable schedules vary from 0 to 1.0 percent of payrolls. Only seven States have a minimum rate of 0.5 percent or more. The most common minimum rates range from 0.1 to 0.4 percent inclusive. The minimum rate in Nebraska depends on the rate schedule established annually by regulation.

**245.05 MAXIMUM RATES.**--Maximum tax rates range from 5.4 percent to 10 percent with the maximum rate in more than half the States at 5.4 percent (Table 206).

**245.06 LIMITATION ON RATE INCREASES.**--Wisconsin prevents sudden increases of rates by a provision that no employer's rate in any year may be more than 2 percent more than in the previous year. In Oklahoma for employers with rates of 3.4 percent or more, the limitation on the rate increase is 2 percent in any year. For employers with rates below 3.4 percent, their rate may not be increased to more than 5.4 percent in any year.

### **250 SPECIAL PROVISIONS FOR FINANCING BENEFITS PAID TO EMPLOYEES OF NONPROFIT ORGANIZATIONS AND STATE AND LOCAL GOVERNMENTS**

The 1970 and 1976 amendments to the Federal law extended coverage to services performed in the employ of each state and its political subdivisions, and to nonprofit organizations which employed four or more persons in 20 weeks. (See sec. 110 for services that may be excluded from coverage.) However, the method of financing benefits paid to employees of governmental entities and nonprofit organizations differs from that applicable to other employers.

**250.01 NONPROFIT ORGANIZATIONS.**--The Federal law provides that States must allow any nonprofit organization or group of organizations, which are required to be covered under the States laws, the option to elect to make payments in lieu of contributions. Prior to the 1970 amendments the States were not permitted to allow nonprofit organizations to finance their employees' benefits on a reimbursable basis because of the experience-rating requirements of the Federal law.

State laws permit two or more reimbursing employers jointly to apply to the State agency for the establishment of a group account to pay the benefit costs attributable to service in their employ. This group is treated as a single employer for the purposes of benefit reimbursement and benefit cost allocation.

States may permit noncharging of benefits to reimbursing employers. Unlike contributing employers, who cannot avoid potential liability to share with other contributing employers devices such as minimum contribution rates and solvency accounts in order to keep the fund solvent, reimbursing employers need not be fully liable for benefit costs to their employees and are not liable at all for the cost of any other benefits. Kentucky and West Virginia exempt reimbursing employers from noncharging of benefits.

## TAXATION

All States except Alabama and North Carolina provide that employers electing to reimburse the fund will be billed at the end of each calendar quarter, or other period determined by the agency, for the benefits paid during that period attributable to service in their employ. Alabama and North Carolina require a different method of assessing the employer. In these States, each nonprofit employer is billed a flat rate at the end of each calendar quarter, or other time period specified by the agency, determined on the basis of a percentage of the organization's total payroll in the preceding calendar year rather than on actual benefit costs incurred by the organization. However, North Carolina may waive the flat rate assessment under certain conditions. Modification in the percentage is made at the end of each taxable year in order to minimize future excess or insufficient payment. The agency is required to make an annual accounting to collect unpaid balances and dispose of overpayments. This method of apportioning the payments appears to be less burdensome than the quarterly reimbursement method because it spreads the benefit costs more uniformly throughout the calendar year. Seventeen States<sup>1/</sup> permit a nonprofit organization the option of choosing either plan, with the approval of the State agency. Arkansas requires the State to use the first plan and nonprofit organizations and political subdivisions who choose reimbursement the second plan.

**250.02 STATE AND LOCAL GOVERNMENTS.**--The 1976 amendments required States to extend to governmental entities the option of reimbursing the State unemployment compensation fund for benefits paid as in the case of nonprofit organizations. The Federal law does not require a State law to provide any other financing provisions for governmental entities.

Most States, however, permit governmental entities to elect either to reimburse the fund for benefits paid or to pay taxes on the same basis as other employers in the State (Table 210). In addition, the legislature of 16 States (Table 210, column 2) have specified by law the method of financing benefits based on service with the State. In all of these States except Oklahoma the method specified is reimbursement. Oklahoma requires the State to pay contributions at a rate of 1.0 percent of wages. A governmental entity which reimburses the fund may be liable for the full amount of extended benefits paid based on service in its employ because the Federal Government does not participate in the cost of these extended benefits attributable to service with governmental entities as it does with other employers.

A few States (Table 210, column 5) have provided, as a financing alternative, contributions systems different than those applicable to other employers in the State. In three of the States, all governmental entities electing to contribute pay at a flat rate--1.0 percent of taxable wages in Oklahoma; 1.5 percent in Tennessee; 2.0 percent in Mississippi. The rates in Delaware, Iowa, North Dakota and Texas are adjusted depending on benefit costs; however, the minimum rate possible for any year in Texas is set at 0.1 percent. North Dakota may suspend these assessments when funds already collected are sufficient to offset anticipated obligations.

Kansas, Louisiana and Massachusetts have developed a similar experience-rating system applicable to governmental entities that elect the contributions method. Under this system three factors are involved in determining rates: required yield, individual experience and aggregate experience. In Kansas the rate for employers not eligible for a computed rate is based on the benefit cost experience of all rated governmental employers. In this State no employer's rate may be less than 0.1 percent. In Massachusetts, the rate for employers not eligible for a computed rate is the average cost of all rated governmental employers but not less than 0.1 percent. Massachusetts also imposes an emergency tax of up to 1.0 percent when benefit charges reach a specified level.

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<sup>1/</sup>Alaska, Calif., D.C., Idaho, Md., N.Dak., Ohio, P.R., S.C., S.Dak., Tenn., Utah, Vt., Va., V.I., Wash. and W.Va.

## **TAXATION**

In Montana, governmental entities that elect contributions pay at the rate of 0.4 percent of wages. Rates are adjusted annually for each employer under a benefit-ratio formula. New employers are assigned the median rate for the year in which they elect contributions and rates may not be lower than 0.1 percent or higher than 1.5 percent, in 0.1 percent intervals. New rates become effective July 1, rather than January 1, as in the case of the regular contributions system.

New Mexico permits political subdivisions to participate in a "local public body unemployment compensation reserve fund" which is managed by the risk management division. This special fund reimburses the State unemployment fund for benefits paid based on service with the participating political subdivision. The employer contributes to the special fund the amount of benefits paid attributable to service in its employ plus an additional unspecified amount to establish a pool and to pay administrative costs of the special fund.

Oregon has a "local government employer benefit trust fund" to which a political subdivision may elect to pay a percentage of its gross wages. The rate is redetermined each June 30 under a benefit-ratio formula. No employer's rate may be less than 0.1 percent nor more than 5.0 percent. This special fund then reimburses the State unemployment compensation fund for benefits paid based on service with political subdivisions that have elected to participate in the special fund and repayments of advances and any interest due because of shortages in the fund.

In Washington, counties, cities and towns have the option of electing regular reimbursement or the "local government tax." Other political subdivisions may elect either regular reimbursement or regular contributions. Rates are determined yearly for each employer under a reserve ratio formula. The following minimum and maximum rates have been established: 0.2 percent and 3.0 percent. No employer's rate may increase by more than 1.0 percent in any year. The Commissioner may, at his discretion, impose an emergency excess tax of not more than 1.0 percent whenever benefit payments would jeopardize reasonable reserves. New employers pay at a rate of 1.25 percent for the first two years of participation. In Tennessee governmental entities who are contributing employers will pay rates ranging from 0.3 percent to 3.0 percent determined according to its reserve ratio.

California has three separate plans for governmental entities. The State is limited to contributions or reimbursement. Schools have, in addition to those two options, the option of making quarterly contributions of 0.5 percent of total wages to the School Employee's Fund plus a variable local experience charge to pay for administrative indiscretions.

In Mississippi political subdivision reimbursing employers may elect to pay 0.5 percent of taxable wages for noncharging of benefits under the same conditions as contributing employers.

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# TAXATION

Table 200. - Summary of Experience-rating Provisions, 53 States <sup>1/</sup>

Type of experience-rating							
State	Reserve ratio (33 States)	Benefit ratio (17 States)	Benefit wage ratio (2 States)	Payroll declines (1State)	Taxable wage base above \$7,000 (41 States)	Wages include remuneration over \$7,000 if subject to FUTA (41 States)	Voluntary contributions permitted (27 States)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Ala.	*****	X	*****	*****	\$8,000	X	*****
Alaska	*****	*****	*****	Quarterly	\$24,500 <sup>3/</sup>	*****	*****
Ariz.	X	*****	*****	*****	*****	X	X
Ark.	X	*****	*****	*****	\$9,000	X	X
Calif.	X	*****	*****	*****	*****	*****	X <sup>2/</sup>
Colo.	X	*****	*****	*****	\$10,000	X	X
Conn.	*****	X	*****	*****	\$15,000	X <sup>4/</sup>	*****
Del.	*****	*****	X	*****	\$8,500	X	*****
D.C.	X	*****	*****	*****	\$9,000	X	*****
Fla.	*****	X	*****	*****	*****	X	*****
Ga.	X	*****	*****	*****	\$8,500	X <sup>4/</sup>	X
Hawaii	X	*****	*****	*****	\$27,000 <sup>3/</sup>	X	*****
Idaho	X	*****	*****	*****	\$23,600 <sup>3/</sup>	*****	*****
Ill.	*****	X	*****	*****	\$9,000	X <sup>4/</sup>	*****
Ind.	X	*****	*****	*****	*****	X <sup>4/</sup>	X
Iowa	*****	X	*****	*****	\$16,500 <sup>3/</sup>	X	X
Kans.	X	*****	*****	*****	\$8,000	X	X <sup>2/</sup>
Ky.	X	*****	*****	*****	\$8,000	X	X
La.	X	*****	*****	*****	***** <sup>3/</sup>	X	X <sup>2/</sup>
Maine	X	*****	*****	*****	*****	X	X
Md.	*****	X	*****	*****	\$8,500	X	*****
Mass.	X	*****	*****	*****	\$10,800	X	*****
Mich.	*****	X	*****	*****	\$9,500	X	X
Minn.	*****	X	*****	*****	\$18,100 <sup>3/</sup>	*****	X
Miss.	*****	X	*****	*****	*****	X	*****
Mo.	X	*****	*****	*****	\$8,500 <sup>7/</sup>	X	X

(Table continued on next page)



# TAXATION

Table 200. - Summary of Experience-rating Provisions, 53 States <sup>1/</sup> (Continued)

State	Type of experience-rating						
	Reserve ratio (33 States)	Benefit ratio (17 States)	Benefit wage ratio (2 States)	Payroll declines (1 State)	Taxable wage base above \$7,000 (41 States)	Wages include remuneration over \$7,000 if subject to FUTA (41 States)	Voluntary contributions permitted (27 States)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Mont.	X	*****	*****	*****	\$17,100 <sup>3/</sup>	X	*****
Nebr.	X	*****	*****	*****	*****	X	X
Nev.	X	*****	*****	*****	\$18,600 <sup>3/</sup>	X	*****
N.H.	X	*****	*****	*****	\$8,000	*****	*****
N.J.	X	*****	*****	*****	\$19,300 <sup>3/</sup>	X	X
N.Mex	X	*****	*****	*****	\$14,200 <sup>3/</sup>	X	X
N.Y.	X	*****	*****	*****	\$8,500	X <sup>4/</sup>	X
N.C.	X	*****	*****	*****	\$13,200 <sup>3/</sup>	X	X <sup>2/</sup>
N.Dak	X	*****	*****	*****	\$15,600 <sup>3/</sup>	X	X
Ohio	X	*****	*****	*****	\$9,000 <sup>6/</sup>	X	X
Okla.	*****	*****	X	*****	\$12,000 <sup>3/</sup>	*****	*****
Oreg.	*****	X	*****	*****	\$23,000 <sup>3/</sup>	*****	*****
Pa.	*****	X <sup>5/</sup>	*****	*****	\$8,000	X <sup>4/</sup>	X
P.R.	X	*****	*****	*****	*****	*****	*****
R.I.	X	*****	*****	*****	\$14,000 <sup>6/</sup>	X <sup>4/</sup>	*****
S.C.	X	*****	*****	*****	*****	X	*****
S.Dak	X	*****	*****	*****	*****	X <sup>4/</sup>	X
Tenn.	X	*****	*****	*****	*****	X <sup>4/</sup>	*****
Tex.	*****	X	*****	*****	\$9,000	*****	X
Utah	*****	X	*****	*****	\$18,500 <sup>3/</sup>	X	*****
Vt.	*****	X	*****	*****	\$8,000	X	*****
Va.	*****	X	*****	*****	\$8,000	*****	*****
V.I.	X	*****	*****	*****	\$14,500 <sup>3/</sup>	*****	*****
Wash.	*****	X	*****	*****	\$22,500 <sup>3/</sup>	*****	X <sup>2/</sup>
W.Va.	X	*****	*****	*****	\$8,000	X	X
Wis.	X	*****	*****	*****	\$10,500	X	X <sup>2/</sup>
Wyo.	*****	X	*****	*****	\$13,100 <sup>3/</sup>	X	*****

(Footnotes continued on next page)

## TAXATION

(Footnotes for table 200)

1/ See Tables 201 to 206 for more detailed analysis of experience-rating provisions.

2/ Voluntary contributions limited to amount of benefits charged during 12 months preceding last computation date, La.; ER receives credit for 100% of any voluntary contributions made to fund, N.C.; reduction in rate because of voluntary contributions limited to five rate groups for positive-balance ER's, other limitations apply for negative-balance ER's, Kans., and Wisc.; surcharge of 10 percent added to the voluntary contribution, however, not permitted for ERs who have not had an increase of at least 6 rate classes from the previous tax rate year, Wash.; not permitted for yrs. in which rate schedule higher than basic schedule is in effect or in which additional surtax or solvency rates apply, La.; not permitted for yrs. in which contribution rate schedules E and F are in effect or in which the emergency solvency surcharge applies (excludes new ERs, negative balance ERs and ERs with an outstanding liability), Calif..

3/ See following table for computation of flexible taxable wage bases for States noted.

4/ Wages include all kinds of remuneration subject to FUTA.

5/ Formula includes reserve ratio, Pa..

6/ If the fund level is 60% or below the minimum safe level, then on Jan. 1 of the following CY the wage base will be \$9,000, Ohio; the taxable wage base will range from \$12,000 to 19,000 depending on the amount of the employment security fund on Sept. 30 of each CY, R.I..

7/ If the trust fund balance, less outstanding Federal advances is (1) less than, or equal to \$300 million, then the taxable wage base will increase by \$500; or (2) \$450 million or more, then the taxable wage base will be decreased by \$500; however the taxable wage base may not increase beyond \$10,000, or decrease to less than \$7,000, Mo..

# TAXATION

Table 201.-- Computation of Flexible Taxable Wage Bases					
	Computed as --		Period of time used --		
State	% of State average annual wage (14 States)	Other (5 States)	Preceding CY (8 States)	12 months ending June 30 (6 States)	Second preceding CY (3 States)
(1)	(2)	(3)	(4)	(5)	(6)
Ala.	*****	*****	*****	*****	*****
Alaska	75 <u>1/</u>	*****	*****	X	*****
Ariz.	*****	*****	*****	*****	*****
Ark.	*****	*****	*****	*****	*****
Calif.	*****	*****	*****	*****	*****
Colo.	*****	*****	*****	*****	*****
Conn.	*****	*****	*****	*****	*****
Del.	*****	*****	*****	*****	*****
D.C.	*****	*****	*****	*****	*****
Fla.	*****	*****	*****	*****	*****
Ga.	*****	*****	*****	*****	*****
Hawaii	100 <u>1/</u>	*****	*****	X	*****
Idaho	100 <u>1/</u>	*****	*****	*****	X
Ill.	*****	*****	*****	*****	*****
Ind.	*****	*****	*****	*****	*****
Iowa	*****	66-2/3% <u>3/</u>	X	*****	*****
Kans.	*****	*****	*****	*****	*****
Ky.	*****	*****	*****	*****	*****
La.	*****	<u>4/</u>	*****	*****	*****
Maine	*****	*****	*****	*****	*****
Md.	*****	*****	*****	*****	*****
Mass.	*****	*****	*****	*****	*****
Mich.	*****	*****	*****	*****	*****
Minn.	60 <u>1/</u>	*****	X	*****	*****
Miss.	*****	*****	*****	*****	*****
Mo.	*****	*****	*****	*****	*****
Mont.	80 <u>1/</u>	*****	X	*****	*****
Nebr.	*****	*****	*****	*****	*****

(Table continued on next page)

# TAXATION

Table 201.-- Computation of Flexible Taxable Wage Bases (Continued)

State  (1)	Computed as --		Period of time used --		
	% of State average annual wage (14 States) (2)	Other (5 States) (3)	Preceding CY (8 States) (4)	12 months ending June 30 (6 States) (5)	Second preceding CY (3 States) (6)
Nev.	66-2/3 <sup>1/</sup>	*****	X	*****	*****
N.H.	*****	*****	*****	*****	*****
N.J.	*****	28 x State aww <sup>1/</sup>	X	*****	*****
N. Mex.	65 <sup>1/</sup>	*****	*****	X	*****
N.Y.	*****	*****	*****	*****	*****
N.C.	50 <sup>1/</sup>	*****	*****	*****	*****
N. Dak.	70 <sup>1/</sup>	*****	*****	X	*****
Ohio	*****	*****	*****	*****	*****
Okla.	50 <sup>1/</sup>	*****	*****	*****	X
Oreg.	80 <sup>1/</sup>	*****	*****	*****	X
Pa.	*****	*****	*****	*****	*****
P.R.	*****	*****	*****	*****	*****
R.I.	*****	*****	*****	*****	*****
S.C.	*****	*****	*****	*****	*****
S. Dak.	*****	*****	*****	*****	*****
Tenn.	*****	*****	*****	*****	*****
Tex.	*****	*****	*****	*****	*****
Utah	*****	75 <sup>2/</sup>	*****	X	*****
Vt.	*****	*****	*****	*****	*****
Va.	*****	*****	*****	*****	*****
V.I.	60 <sup>1/</sup>	*****	*****	X	*****
Wash.	*****	115 <sup>2/</sup>	X <sup>2/</sup>	*****	*****
W.Va.	*****	*****	*****	*****	*****
Wis.	*****	*****	*****	*****	*****
Wyo.	55 <sup>1/</sup>	*****	X	*****	*****

<sup>1/</sup>Rounded to nearest \$100, Alaska, Hawaii, Idaho, Minn., Mont., Nev., N.C., N.Dak., Okla., and V.I.; higher \$100, Iowa, N.J., N.Mex., Utah; nearest \$1,000, Oreg.; lower \$100, Wyo.

<sup>2/</sup>115 percent of the previous year's taxable wage base rounded to the lower \$100, but not to exceed 80 percent of aaw for the 2nd preceding CY rounded to the lower \$100, Wash.; 75 percent of the prior average fiscal year wage rounded to the higher \$100, Utah.

<sup>3/</sup>66-2/3 percent of the State aww, multiplied by 52, or the Federal taxable wage base, Iowa.

<sup>4/</sup>The taxable wage base depends on the condition of the fund; it could be \$7,000, \$7,700, or \$8,500, (for 1999 the wage base is \$7,000), La.

# TAXATION

Table 202.— Computation Date, Effective Date, Period of Time to qualify for Experience Rating, and Reduced Rates for New Employers

State	Computation date	Effective date for new rates	Period of time needed to qualify for experience rating		Reduced rate for new employee <sup>2/</sup>
			At least 3 years	Less than 3 years <sup>1/</sup>	
(1)	(2)	(3)	(4)	(5)	(6)
Ala.	Oct. 1	Jan. 1	*****	1 year	X
Alaska	June 30	Jan. 1	*****	1 year <sup>1/</sup>	X
Ariz.	July 1	Jan. 1	*****	1 year	X
Ark.	June 30	Jan. 1	X	*****	X
Calif.	June 30	Jan. 1	*****	12 months	*****
Colo.	July 1	Jan. 1	*****	12 months	*****
Conn.	June 30	Jan. 1	*****	1 year <sup>1/</sup>	X
Del.	Oct. 1	Jan. 1	*****	2 years	X
D.C.	June 30	Jan. 1	X	*****	X
Fla.	Dec. 31	Jan. 1	*****	2 years	X
Ga.	June 30	Jan. 1	X	*****	X
Hawaii	Dec. 31	Jan. 1	*****	1 year	X
Idaho	June 30	Jan. 1	*****	1 year	*****
Ill.	June 30	Jan. 1	X <sup>1/</sup>	*****	X
Ind.	June 30	Jan. 1	X <sup>1/</sup>	*****	X
Iowa	July 1	Jan. 1	X	*****	X
Kans.	June 30	Jan. 1	*****	2 years	X
Ky.	Oct. 31	Jan. 1	X	*****	X
La.	June 30	Jan. 1	X	*****	X
Maine	June 30	Jan. 1	*****	2 years	X
Md.	July 1	Jan. 1	*****	2 years	X
Mass.	Sept. 30	Jan. 1	*****	1 year	X
Mich.	June 30	Jan. 1	*****	2 years <sup>4/</sup>	X
Minn.	June 30	Jan. 1	*****	12 months	X
Miss.	June 30	Jan. 1	*****	1 year	X
Mo.	July 1	Jan. 1	*****	1 year	X
Mont.	Sept. 30	Jan. 1	X	*****	X
Nebr.	Dec. 31	Jan. 1	*****	1 year <sup>1/</sup>	X
Nev.	June 30	Jan. 1	*****	2-1/2 years	X
N.H.	Jan. 31	July 1	*****	1 year	X
N.J.	Dec. 31	July 1	X	*****	X
N.Mex.	June 30	Jan. 1	X	*****	X
N.Y.	Dec. 31	Jan. 1	*****	1 year	X
N.C.	Aug. 1	Jan. 1	*****	2 years	X
N.Dak.	Sept. 30	Jan. 1	X	*****	X

## TAXATION

Table 202.-- computation Date, Effective Date, Period of Time to Qualify for Experience Rating, and Reduced Rates for New Employers (Continued)

			Period of time needed to qualify for experience rating		
State	Computation date	Effective date for new rates	At least 3 years	Less than 3 years <sup>1/</sup>	Reduced rate for new employers <sup>2/</sup>
(1)	(2)	(3)	(4)	(5)	(6)
Ohio	July 1	Jan. 1	*****	2 years	X
Okla.	Dec. 31	Jan. 1	*****	1 year	X
Oreg.	June 30	Jan. 1	*****	1 year	X
Pa.	June 30	Jan. 1	*****	18 months <sup>1/</sup>	X
P.R.	June 30	Jan. 1	*****	12 months	X
R.I.	Sept. 30	Jan. 1	X	*****	X
S.C.	July 1 <sup>3/</sup>	Jan. 1 <sup>3/</sup>	*****	2 years <sup>1/</sup>	X
S.Dak.	Dec. 31	Jan. 1	*****	2 years	X
Tenn.	Dec. 31	July 1	X	*****	X
Tex.	Oct. 1 <sup>3/</sup>	Jan. 1 <sup>3/</sup>	*****	1 year	X
Utah	July 1	Jan. 1	*****	1 year	X
Vt.	Dec. 31	July 1	*****	1 year	X
Va.	June 30	Jan. 1	*****	1 year	X
V.I.	Dec. 31	Jan. 1	X	*****	*****
Wash.	July 1	Jan. 1	*****	2 years <sup>1/</sup>	X
W.Va.	June 30	Jan. 1	X	*****	X
Wis.	June 30	Jan. 1	*****	18 months	X
Wyo.	June 30	Jan. 1	X	*****	X

<sup>1/</sup> Period shown is period throughout which ER's account was chargeable or during which payroll declines were measurable. In States noted, requirements for experience rating are stated in the law in terms of subjectivity, Alaska, Conn., Ind., and Wash.; in which contributions are payable, Ill. and Pa.; coverage, S.C.; or in addition to the specified period of chargeability, contributions payable in the 2 preceding CY's, Nebr.

<sup>2/</sup> Immediate reduced rate for newly-covered ER's until such time as the ER can qualify for a rate based on experience.

<sup>3/</sup> For newly-qualified ER, computation date is end of quarter in which ER meets experience requirements and effective date is immediately following quarter, S.C. and Tex.

<sup>4/</sup> An ER's rate will not include a nonchargeable benefits component for the first 4 years of subjectivity, Mich.

# TAXATION

Table 203.— Years of Benefits Contributions, and Payrolls Used in Computing Rates of Employers with at Least 3 Years of Experience, by Type of Experience-rating formula

State	Years of benefits used <sup>1/</sup>	Years of payrolls used <sup>2/</sup>
(1)	(2)	(3)
	Reserve-ratio formula	
Arizona	All past years.	Average 3 years. <sup>2/</sup>
Arkansas	All past years.	Average last 3 or 5 years. <sup>3/</sup>
California	All past years.	Average 3 years. <sup>2/</sup>
Colorado	All past years.	Average 3 years.
District of Columbia	All since July 1, 1939	Average 3 years. <sup>2/</sup>
Georgia	All past years.	Average 3 years.
Hawaii	All past years.	Average 3 years.
Idaho	All since Jan. 1, 1940	Average 4 years.
Indiana	All past years.	Aggregate 3 years
Kansas	All past years.	Average 3 years. <sup>2/</sup>
Kentucky	All past years.	Aggregate 3 years
Louisiana	All since Oct. 1, 1941	Average 3 years.
Maine	All past years.	Average 3 years.
Massachusetts	All past years.	Last year.
Missouri	All past years. <sup>1/</sup>	Average 3 years.
Montana	All years since Oct. 1, 1981	Average 3 years.
Nebraska	All past years.	Average 4 years.
Nevada	All past years.	Average 3 years.
New Hampshire	All past years. <sup>1/</sup>	Average 3 years.
New Jersey	All past years.	Average last 3 or 5 years. <sup>3/</sup>
New Mexico	All past years.	Average 3 years.
New York	All past years.	Average 5 years. <sup>2/</sup>
North Carolina	All past years.	Aggregate 3 years.
North Dakota	All past years.	Average 3 years.
Ohio	All past years.	Average 3 years.
Puerto Rico	Last 3 years	Last 3 years.
Rhode Island	All since Oct. 1, 1958	Average 3 years.
South Carolina	All past years.	Last year.
South Dakota	All past years.	Aggregate 3 years.
Tennessee	All past years.	Average 3 years.
Virgin Islands	Last 3 years	Last 3 years.
West Virginia	All past years.	Average 3 years.
Wisconsin	All past years.	Last year.

(Table continued on next page)

## TAXATION

Table 203.-- Years of Benefits, Contributions, and Payrolls Used in Computing Rates of Employers with at Least 3 Years of Experience, by Type of Experience-rating formula (Continued)

State (1)	Years of benefits used <sup>1/</sup> (2)	Years of payrolls used <sup>2/</sup> (3)
	Benefit-ratio formula	
Alabama	Last 3 years.	Last 3 years.
Connecticut	Last 3 years.	Last 3 years. <sup>2/</sup>
Florida	Last 3 years.	Last 3 years. <sup>2/</sup>
Illinois	Last 3 years.	Last 3 years.
Iowa	Last 5 years.	Last 5 years.
Maryland	Last 3 years.	Last 3 years. <sup>2/</sup>
Michigan	Last 5 years.	Last 5 years.
Minnesota	Last 5 years.	Last 5 years.
Mississippi	Last 3 years.	Last 3 years.
Oregon	Last 3 years.	Last 3 years.
Pennsylvania <sup>4/</sup>	Average 3 years.	Average 3 years.
Texas	Last 3 years.	Last 3 years.
Utah	Last 4 years. <sup>3/</sup>	Last 4 years. <sup>3/</sup>
Vermont	Last 3 years.	Last 3 years.
Virginia	Last 4 years.	Last 4 years.
Washington	Last 4 years.	Last 4 years.
Wyoming	Last 3 years.	Last 3 years.
	Benefit-wage-ratio formula	
Delaware	Last 3 years.	Last 3 years.
Oklahoma	Last 3 years.	Last 3 years.
	Payroll-decline formula	
Alaska	*****	Last 3 years.
<sup>1/</sup> In reserve-ratio States yrs. of contributions used are same as yrs. of benefits used. Or last 5 yrs., whichever is to the ER's advantage, Mo.; or last 5 yrs. under specified conditions, N.H. <sup>2/</sup> Years immediately preceding or ending on computation date. In States noted, yrs. ending 3 months before computation date, D.C., Fla., Md., and N.Y. or 6 months before such date, Ariz., Calif., Conn., and Kans.. <sup>3/</sup> Whichever is lesser, Ark.; whichever is higher, N.J.. ERs with 3 or more yrs. experience may elect to use the last yr., Ark.. If 4 yrs. not available, Utah will use less up to 1 yr. minimum. <sup>4/</sup> Formula includes reserve ratio, Pa.		



# TAXATION

Table 204.-- Transfer of Experience for Employer Rates, 52 States <sup>1/</sup>

	Total Transfers		Partial Transfers			Rate for successor <sup>2/</sup>	
State	Mandatory (45 States)	Optional (10 States)	Mandatory (17 States)	Optional (26 States)	Enterprise must be continued (27 States)	Previous rate continued (32 States)	Based on Combined experience (20 States)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Ala.	X	*****	*****	X	*****	*****	X
Alaska <sup>3/</sup>	X	*****	*****	*****	*****	*****	X
Ariz.	X	*****	*****	X	X	X	*****
Ark.	X	*****	*****	X	X	X	*****
Calif. <sup>3/</sup>	*****	X	*****	X	X	*****	X
Colo. <sup>3/</sup>	X	*****	*****	X	X	X	*****
Conn.	X <sup>5/</sup>	*****	X <sup>5/</sup>	*****	*****	X <sup>5/</sup>	*****
Del.	X <sup>4/</sup>	*****	X <sup>4/</sup>	*****	X	*****	X
D.C. <sup>3/</sup>	X	*****	*****	*****	X	X	*****
Fla.	X	*****	*****	X	X	*****	X
Ga.	X	*****	*****	X	X	*****	X
Hawaii	*****	X	*****	*****	*****	X	*****
Idaho	*****	X <sup>4/</sup>	*****	X <sup>4/</sup>	X	*****	X
Ill.	X	*****	*****	X	*****	X	*****
Ind.	X	*****	*****	X	*****	X	*****
Iowa	X	*****	X	*****	X	*****	X
Kans.	X	*****	*****	X	X	X	*****
Ky.	X	*****	X	*****	*****	X	*****
La.	X	*****	X	*****	*****	X	*****
Maine	X	*****	*****	*****	*****	X	*****
Md.	X	*****	*****	X <sup>6/</sup>	X	X	*****
Mass.	X	*****	*****	*****	X	X	*****
Mich.	X	*****	*****	X	*****	X	*****
Minn.	X	*****	X	*****	*****	*****	X
Miss.	X	*****	*****	X	X	X	*****
Mo.	X	*****	X <sup>7/</sup>	*****	X	*****	X
Mont.	X <sup>8/</sup>	*****	X <sup>8/</sup>	*****	*****	*****	X
Nebr.	*****	X	*****	X	*****	*****	X
Nev. <sup>3/</sup>	*****	X	*****	X	*****	*****	X
N.H.	X	*****	*****	X	X	X	*****
N.J. <sup>3/</sup>	X <sup>9/</sup>	<sup>9/</sup>	*****	X	X	X	*****
N. Mex.	X	*****	*****	X	X	X	*****
N.Y.	X	*****	X	*****	X	*****	X
N.C.	X	*****	*****	X	*****	X	*****
N.Dak. <sup>3/</sup>	*****	X	*****	X	*****	X	*****
Ohio	X	*****	X	*****	X	X	*****

(Table continued on next page)

# TAXATION

Table 204.-- Transfer of Experience for Employer Rates, 52 States <sup>1/</sup> (Continued)

State	Total Transfers		Partial Transfers		Enterprise must be continued (27 States)	Rate for successor <sup>2/</sup>	
	Mandatory (45 States)	Optional (10 States)	Mandatory (17 States)	Optional (26 States)		Previous rate continued (32 States)	Based on Combined experience (20 States)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Okla.	X	*****	*****	X	X	*****	X
Oreg.	X	*****	*****	*****	*****	X	*****
Pa.	<u>9/</u>	X <u>9/</u>	<u>9/</u>	X <u>9/</u>	X	X <u>10/</u>	*****
P.R.	X	*****	*****	*****	*****	X	*****
R.I. <sup>3/</sup>	*****	X	*****	X <u>7/</u>	*****	X	*****
S.C.	X	*****	*****	X	X	*****	X
S. Dak.	<u>9/</u>	X <u>9/</u>	*****	*****	*****	<u>10/</u>	*****
Tenn. <sup>3/</sup>	X	*****	X	*****	X	X	*****
Tex.	X	*****	*****	X	X	X	*****
Utah	X	*****	X	*****	*****	*****	X
Vt.	X	*****	*****	*****	X	*****	X
Va.	X	*****	X	*****	*****	X	*****
Wash	X	*****	X	*****	*****	*****	X
W. Va.	X	*****	X <u>7/</u>	*****	*****	X	*****
Wis.	X	*****	X	*****	X	*****	X
Wyo.	X	*****	*****	*****	*****	X	*****

<sup>1/</sup>Excludes the V.I., which has no provision for transfer of experience.

<sup>2/</sup>Rate for remainder of rate yr. for a successor who was an ER prior to acquisition. In Ill., the successor is entitled to predecessor's lower rate only if the director is notified of transfer within 120 days of its occurrence.

<sup>3/</sup>No transfer may be made if it is determined that the acquisition was made solely for purpose of qualifying for reduced rate, Alaska, Calif., Colo., Nev., R.I., and Tenn.; if total wages allocable to transferred property are less than 25% of predecessor's total, D.C.; if agency finds employment experience of the enterprise transferred may be considered indicative of the future employment experience of the successor, N.J.; transfer may be denied if good cause shown that transfer would be inequitable, N.Dak..

<sup>4/</sup>Transfer is limited to one in which there is substantial continuity of ownership and management, Del.; if predecessor had a deficit experience-rating account as of last computation date, transfer is mandatory unless it can be shown that management or ownership was not substantially the same, Idaho.

<sup>5/</sup>By agency interpretation.

<sup>6/</sup>Partial transfers limited to those establishments formerly located in another State.

<sup>7/</sup>Partial transfers limited to acquisitions of all or substantially all of ER's business, Mo., and W.Va.; to separate establishments for which separate payrolls have been maintained, R.I.

<sup>8/</sup>Optional (by regulation) if successor was not an ER.

<sup>9/</sup>Optional if predecessor and successor were not owned or controlled by same interest and successor files written notice protesting transfer within 4 months; otherwise mandatory, N.J.; transfer mandatory if same interests owned or controlled both the predecessor and the successor, Pa.; transfer mandatory if ownership of both entities is substantially the same, S.Dak..

<sup>10/</sup>Successor ERs may pay the maximum tax rate if the transferring ER elected to transfer the business, Pa.; successor ERs will be assigned the appropriate new ER rate if the successor does not assume the experience of the predecessor, and mandatory transfer of an experience rating account may be waived if the inherent nature of the employing unit was substantially and permanently changed since July 1, 1988, S.Dak..

# TAXATION

Table 205. - Employers Charged and Benefits Excluded from Charging,  
52 States Which Charge Benefits or Benefit Derivatives

	Base-period employer charged			Benefits excluded from charging					
							Major disqualification involved		
State	Pro- portion- ately (37 States)	In inverse order of employment up to amount specified (8 States) <u>2/</u>	Employer specified (10 States)	Federal- State ex- tended benefits (16 States)	Benefit award finally reversed (32 States)	Re- imburse- ments on combine d wage claims (19 States)	Voluntary leaving (49 States)	Dis- charge for mis- conduct (47 States)	Refusal of suitable work (16 States)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Al. <u>12/</u>	X <u>6/</u>	*****	*****	*****	X	*****	X	X <u>3/</u>	*****
Ariz.	X <u>6/</u>	*****	*****	*****	X	X <u>10/13/</u>	X <u>4/</u>	X	*****
Ark.	X <u>6/</u>	*****	*****	X	*****	*****	X	X	*****
Calif.	X <u>6/</u>	*****	*****	*****	X	*****	X <u>4/</u>	X <u>4/</u>	*****
Co. <u>12/</u>	*****	1/3 wages up to 1/2 of 26 x current wba.	*****	*****	X	X	X	X <u>4/</u>	*****
Conn.	X <u>6/</u>	<u>6/</u>	*****	*****	*****	*****	X <u>4/</u>	X <u>4/</u>	X <u>3/</u>
Del. <u>1/</u>	X <u>6/</u>	*****	*****	*****	X	X	X	X	*****
D.C.	X <u>6/</u>	*****	*****	*****	*****	*****	X	X	*****
Fla.	X <u>6/</u>	*****	*****	*****	X	*****	X	X	X <u>3/</u>
Ga.	*****	*****	most recent <u>6/12/</u>	*****	X	X <u>10/</u>	X <u>4/</u>	X	X <u>3/</u>
Hawaii	X <u>6/</u>	*****	*****	X	*****	X	X	X	X
Idaho	*****	*****	Principal <u>6/7/</u>	X	X	X <u>10/</u>	X	X	*****
Ill.	*****	*****	most recent <u>6/</u>	*****	*****	X <u>10/</u>	X <u>4/</u>	X	X
Ind.	X <u>6/7/</u>	*****	*****	*****	*****	X <u>10/</u>	X	X	*****
Iowa	*****	<u>6/7/</u> in proportion to BP wages.	*****	X	X	X <u>10/</u>	X	X	X
Kans.	X <u>6/</u>	*****	*****	X	*****	*****	X	X	*****
Ky.	*****	*****	most recent <u>6/</u>	*****	*****	X <u>10/</u>	X	X	*****
La.	X <u>6/</u>	*****	*****	*****	X	*****	X <u>4/</u>	X	X
Maine	*****	*****	most recent <u>6/</u>	X	X	X <u>10/</u>	X	X	X <u>3/</u>
Md.	X <u>6/7/</u>	*****	<u>6/7/</u>	*****	X	*****	<u>10/</u>	<u>3/</u>	*****

(Table continued on next page)

# TAXATION

Table 205. - Employers Charged and Benefits Excluded from Charging,  
52 States Which Charge Benefits or Benefit Derivatives (Continued)

	Base-period employer charged			Benefits excluded from charging					
							Major disqualification involved		
State	Pro- portion- ately (37 States)	In inverse order of employment up to amount specified (8 States) <u>2/</u>	Employer specified (10 States)	Federal- State ex- tended benefits (16 States)	Benefit award finally reversed (32 States)	Re- imburse- ments on combine d wage claims (19 States) (7)	Voluntary leaving (49 States) (8)	Dis- charge for mis- conduct (47 States) (9)	Refusal of suitable work (16 States) (10)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Mass.	****	36% of BP wages.	****	****	X	****	X	X <u>4/</u>	****
Mich.	****	3/4 credit wks. up to 35. <u>8/</u>	****	****	****	****	X <u>8/</u>	X <u>8/</u>	<u>8/</u>
Minn. <u>12/</u>	X <u>9/</u>	****	****	****	****	X	X	X	X <u>3/</u>
Miss.	X <u>6/</u>	****	****	****	****	****	X	X	X <u>3/</u>
Mo.	X <u>6/</u>	****	****	****	X	****	X <u>4/</u>	X	X
Mont.	X <u>6/</u>	****	****	X	****	****	X	X	****
Nebr.	****	1/3 BP wages.	****	****	X	****	X	X	****
Nev.	X <u>14/</u>	****	****	X	****	X <u>10/</u>	X <u>4/</u>	X	****
N.H.	****	****	most re- cent <u>6/16/</u>	****	****	X <u>10/</u>	****	****	****
N.J.	X	****	****	****	X	****	X	X	X
N.Mex.	X	****	****	X	X	****	X	X	****
N.Y.	X <u>6/18/</u>	credit weeks up to 26. <u>6/</u>	<u>6/18/</u>	****	****	****	X	X	****
N.C. <u>12/</u>	X <u>6/15/</u>	****	****	****	X	****	X	X <u>4/</u>	****
N. Dak. <u>12/</u>	X	****	****	****	X	****	X	X	****
Ohio	X <u>6/</u>	****	****	****	X	X <u>10/</u>	X <u>4/</u>	X	X
Okla. <u>1/12/</u>	X <u>4/6/</u>	****	****	****	X	****	X	X	****
Oreg.	X <u>5/6/</u>	****	****	X	X	X <u>10/</u>	X	X	****
Pa. <u>12/</u>	X <u>6/</u>	****	****	****	****	****	X	X	****
P.R.	<u>7/</u>	****	most recent. <u>7/</u>	X	****	****	****	****	****
R.I. <u>12/</u>	<u>7/</u>	****	most recent. <u>7/</u>	****	X	****	X	X	****

(Table continued on next page)

# TAXATION

Table 205. - Employers Charged and Benefits Excluded from Charging,  
52 States Which Charge Benefits or Benefit Derivatives (Continued)

	Base-period employer charged			Benefits excluded from charging					
							Major disqualification involved		
State	Pro- portion- ately (37 States)	In inverse order of employment up to amount specified (8 States) <u>2/</u>	Employer specified (10 States)	Federal- State ex- tended benefits (16 States)	Benefit award finally reversed (32 States)	Re- imburse- ments on combine d wage claims (19 States)	Voluntary leaving (49 States)	Dis- charge for mis- conduct (47 States)	Refusal of suitable work (16 States)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
S.C.	****	****	most recent. <u>6/</u>	X	X	****	X	X	X <u>3/</u>
S. Dak. <u>12/</u>	****	In proportion to BP wages paid by ER. <u>6/</u>	****	X	X	****	X <u>4/</u>	X <u>4/</u>	****
Tenn.	X <u>6/</u>	****	****	****	X	****	X	X	****
Tex.	X	****	****	****	X	****	X	X	****
Utah	X <u>6/</u>	****	****	X	X	X	X	X	****
Vt.	X <u>6/</u>	****	****	****	****	X	X <u>4/</u>	X	X
Va.	****	****	most recent. <u>6/</u>	****	****	X	X <u>4/</u>	****	****
V.I.	X	****	****	****	****	****	****	****	****
Wash <u>12/</u>	X <u>6/</u>	****	****	X	X	****	X	X	****
W. Va.	X <u>6/</u>	****	****	****	X	****	X	X	****
Wis.	X <u>17/</u>	****	****	****	X	****	X	****	****
Wyo.	X <u>6/</u>	****	****	X	X	****	X	X	****

1/ State has benefit-wage-ratio formula; benefit wages are not charged for claimants whose compensable unemployment is of short duration (sec. 220.03).

2/ Limitation on amount charged does not reflect those States charging one-half of Federal-State extended benefits. For States that noncharge these benefits see column 5.

3/ Half of charges omitted if separation due to misconduct; all charges omitted if separation due to aggravated misconduct, Ala., and for gross and aggravated misconduct, Md.; omission of charge is limited to refusal of reemployment in suitable work, Fla., Ga., Maine, Minn., Miss., and S.C.

4/ Charges are omitted also for claimants leaving for compelling personal reasons not attributable to ER and not warranting disqualification, as well as for claimants leaving work due to private or lump-sum retirement plan containing mutually-agreed-upon mandatory age clause, Ariz.; for claimant who was student employed on temporary basis during BP and whose employment began within vacation and ended with leaving to return to school, or for claimant who left work to accompany a spouse; also, for individuals who were discharged or who quit as a result of an irresistible compulsion to use or consume intoxicants, Calif.; for a claimant's most recent separation to study or voluntary retirement provided the ER filed a notice for appeal, Conn.; for claimants who retire under agreed-upon mandatory-age retirement plan, Ga.; for claimant convicted of felony or misdemeanor, Mass.; for claimant who left to accept another job and held it long enough to earn six times wba and then was separated from new work, and if physically unable to work, or to accept other bona fide work, Ill.; for a claimant who left part-time or interim employment in order to protect full-time or regular employment, La.; for claimant leaving to accept more remunerative job, Mo.; for claimant who left work to accompany military spouse who was transferred to another location, and for benefits paid to a claimant who leaves an ER to take other employment and is discharged by the latter ER, Nev.; for claimant who left to accept recall from a prior ER or to accept other work beginning within

(Footnotes continued on next page)

## TAXATION

(Footnotes for Table 205 continued)

7 days and lasting at least 3 wks.; also exempts leaving pursuant to agreement permitting EE to accept lack-of-work separation and leaving unsuitable employment that was concurrent with other suitable employment, Ohio; if ER recalls a laid-off or separated EE and the EE continues to be employed, or voluntarily terminates employment or is discharged for misconduct within the BY, benefit charges may be reduced by the ratio of remaining wks. of eligibility to the total wks. of entitlement, Okla.; if benefits are paid after voluntary leaving (also because of pregnancy or marital obligations) discharge for misconduct, 50% of such benefits shall be prorated among all of the ER experience rating accounts, S.Dak.; if claimant's employment or right to reemployment was terminated by his retirement pursuant to agreed-upon plan specifying mandatory retirement age, Vt.; if discharged for nonperformance due to medical reasons, Utah; if left work with good cause due to a personal bona fide medical reason caused by a non-job-related injury or medical condition, Va.; if discharged for substantial fault, or for the inability to do the work for which hired pursuant to a job order placed with the agency for a probationary period of 100 days, N.C.; if discharged for violating an ER's drug testing policy, if the policy had been adopted and applied consistent with any State or Federal law, Conn.; if separated due to use of alcohol or a controlled substance on or off the job if the individual admits to an addiction and the addiction was evidenced by a drug or alcohol test, Colo..

5/Charges omitted if ER furnished part-time work to the individual during the BP and if the individual is collecting benefits due to loss of employment with one or more other ERs, Oreg..

6/Charges omitted for ERs who paid claimant less than \$100 Fla. and S.Dak.; less than \$500, Conn.; less than \$1,000, Colo.; less than 8 x wba, S.C.; or who employed claimant less than 10 wks., Ky., and 30 days, Ill.; less than 30 days or 240 hours, Va.; less than 5 wks., Maine; less than 4 consec. wks., N.H.; or who employed claimant less than 28 days and paid him less than \$400, Mo.; if worker continues to perform services for the ER, Ark., Idaho, Ind., Mont., Wash., and in Iowa if ER appeals for a rate recomputation within 30 days of notification of charges. Some States omit charges if the ER continues to employ claimant in part-time to the same extent as in the BP, see text (Sec. 235) for details.

7/ER who paid largest amount of BPW, Idaho; law also provides for charges to BP ERs in inverse order, Ind.. Principal ER will be charged for shut downs for convenience and ERs who participate in shared work, Md.; the most recent ER is charged 50% of benefits paid and the remaining 50% is charged proportionately to all BP ERs, P.R.; if 2 or more ERs involved, benefits will be charged proportionately to those ERs, otherwise most recent ER is charged for benefits paid, R.I..

8/Benefits paid based on credit wks. earned with ERs involved in disqualifying acts or discharges, or in periods of employment prior to disqualifying acts or discharges are charged last in inverse order. If an individual is laid off from one ER, benefits will be charged to that ER but if another ER pays the individual wages for the same wk. benefits are paid, benefits shall be noncharged to that ER, Mich..

9/An ER who paid 90% of a claimant's BPW in one BP not charged for benefits based on earnings during subsequent BP unless he employed the claimant in any part of such subsequent BP.

10/Charges omitted if claimant paid less than min. qualifying wages, Ariz., Ga., Ill., Maine, Nev., N.H., Ohio, Oreg.; when total BPW paid by other than last ER is less than \$500, Colo.; for benefits in excess of the amount payable under State law, Idaho, Ind., Iowa, N.H. and Oreg.; and for benefits based on a period previous to the claimant's BP, Ky.; if claimant left voluntarily without good cause attributable to work, to accept a better job or left to enter approved training, Md..

12/Charges omitted if benefits are paid due to a natural disaster, Ala., Colo., Fla., Ga., Hawaii, Iowa, Minn., N.C., N.Dak., Okla., Pa., R.I., S.Dak., Tenn., Tex., Wash. (if ER requests the exemption and the Commissioner approves it), and Wyo..

13/By regulation.

14/An ER who paid 75% of a claimant's BPW will be charged (except those for which a reimbursing ER is liable) with all benefits paid, but the agency may noncharge benefits paid after a voluntary quit or a misconduct discharge if the ER provides appropriate evidence to the agency.

15/The amount allocated to a BP ER's account shall be multiplied by 120% and then charged to him.

16/Benefits paid following disqualifications for voluntary leaving, discharge for misconduct and refusal of suitable work will be charged to the ER's account who furnished the employment, N.H..

17/Wages paid to an individual by a BP ER will not be charged to the ER if the wages equal at least 3.8% of the wages paid during the two highest quarters of the BP; or if a BP ER is responsible for less than 5% of a claimant's wages with charges distributed to the other BP ERs under certain conditions, Wis..

18/Beginning April 1, 1999, the last ER prior to filing of a valid original claim in an amount equal to 7 times the claimant's WBA; thereafter benefits will be charged proportionately, N.Y..

## TAXATION

Table 206.-- Fund Requirements for Most and Least Favorable Schedules and Range of Rates for Those Schedules <u>1/</u>						
		Most favorable schedule		Least favorable schedule <u>2/</u>		
		Range of rates		Range of Rates		
States (1)	Fund must equal at least (2)	Min. (3)	Max. (4)	When fund balance is less than ***** (5)	Min. (6)	Max. <u>1/</u> (7)
Ala.	125% of desired level <u>8/</u>	0.14	6.75	70% of desired level <u>8/</u>	0.14	6.74
Alaska	Reserve multiple equals 3.0 <u>8/</u>	1.0	6.5	Reserve multiple less than .33% <u>8/</u>	1.0	6.5
Ariz.	12% of payrolls	0.05	<u>10/</u>	3% of payrolls	2.85 <u>10/</u>	5.4 <u>10/11/</u>
Ark.	More than 5% of payrolls	0.0	5.9	2.5% of payrolls	0.1	6.0
Calif.	1.8 of payrolls	0.1	5.4	.8% of payrolls	1.3	5.4
Colo.	\$450 million	0.0	5.4	0 or deficit	1.0	5.4
Conn.	More than 8% of payrolls <u>2/</u>	0.5	5.4	.4% of payrolls <u>2/</u>	1.5	6.4
Del.	Not specified	0.1	8.0 <u>5/</u>	Not specified	0.1	8.0 <u>5/</u>
D.C.	3.0% of payrolls	0.1	5.4	.8% of payrolls	1.9	7.4
Fla. <u>5/</u>	More than 5% of payrolls	0.1	Not Specific	4% of payrolls	Not Specific	5.4 <u>11/</u>
Ga.	5% of payrolls	0.01	5.4	3% of payrolls	0.06	8.64
Hawaii	1.69 x adequate reserve fund	0.0	5.4	.2 x adequate reserve fund	2.4	5.4
Idaho	5% of payrolls	0.1	5.4	1.5% of payrolls	2.4	6.8
Ill.	<u>9/</u>	0.2	6.4 <u>9/12/</u>	<u>9/</u>	0.2 <u>9/</u>	6.4 <u>12/</u>
Ind.	3% of payrolls	0.2	5.4	1.5% of payrolls	1.2	5.7

(Table continued on next page)

## TAXATION

Table 206.-- Fund Requirements for Most and Least Favorable Schedules and Range of Rates for Those Schedules <u>1/</u> (continued)						
Most favorable schedule				Least favorable schedule <u>2/</u>		
		Range of rates				Range of rates
States	Fund must equal at least	Min.	Max.	When fund balance is less than *****	Min.	Max.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Iowa <u>8/</u>	Current reserve fund ratio highest benefit cost rate	0.0	7.0	Current reserve fund ratio highest benefit cost rate	0.0	9.0
Kans. <u>14/</u>	5% of payrolls	.025	5.4	1.5% of payrolls	.025	5.4
Ky.	\$350 million	0.3	9.0	\$150 million	1.0	10.0
La.	Not specified	0.3	6.0	Not specified	0.3	6.0
Maine	Reserve multiple of over 2.5	0.5	6.4	Reserve multiple of under .45	2.4	7.5
Md.	7.4% of payrolls	0.1	7.5	2.8% of payrolls	2.0	9.5
Mass.	3% of payrolls	0.6	6.5	.8% of payrolls	3.4	9.3
Mich.	Not specified	0.0	8.0	Not specified	1.0	10.0
Minn.	\$300 million	0.1	8.9	\$200 million	0.6	8.9
Miss. <u>3/</u>	*****	0.1	5.4	4% of payrolls	0.1	5.4
Mo.	\$600 million	0.0	5.4	\$300 million	0.0	8.7
Mont.	2.6% of payrolls	0.0	6.4	.5% of payrolls	1.7	6.4
Nebr. <u>4/</u>	<u>4/</u>	***	***	<u>4/</u>	***	5.4
Nev.	Not specified	0.3	5.4	Max. annual bens. payable	0.3	5.4
N.H.	\$110 million	0.01	6.5	<u>6/</u>	2.8	6.5
N.J.	10% of payrolls	0.4	5.4	2.5% of payrolls	1.2 <u>11/</u>	6.47 <u>11/</u>
N. Mex.	4% of payrolls	0.1	5.4	1% of payrolls	2.7	5.4
N.Y. <u>2/</u>	5% of payrolls	0.0	5.9	Less than 0% of payrolls	0.9 <u>5/</u>	8.5 <u>5/</u>

(Table continued on next page)



## TAXATION

Table 206.— Fund Requirements for Most and Least Favorable Schedules and Range of Rates for Those Schedules <sup>1/</sup> (continued)						
	Most favorable schedule			Least favorable schedule <sup>2/</sup>		
		Range of rates			Range of rates	
States (1)	Fund must equal at least (2)	Min. (3)	Max. (4)	When fund balance is less than ***** (5)	Min. (6)	Max. (7)
N.C.	9% of payrolls	0.0	5.7	2.0% of payrolls	0.0	5.7
N. Dak.	25% of total bens. paid in last 12 months	0.1	5.4	25% of total bens. paid in last 12 months	0.1	5.4
Ohio <sup>8/</sup>	30% above min. safe level	0.1	6.5 <sup>11/</sup>	60% below min. safe level	0.1	6.5 <sup>11/</sup>
Okla. <sup>2/</sup>	More than 3.5 x bens.	0.1 <sup>15/</sup>	5.5 <sup>15/</sup>	2 x average amount of bens. paid in last 5 yrs.	0.5	6.2
Oreg. <sup>13/</sup>	200% of fund adequacy percentage ratio	0.5	5.4	Fund adequacy percentage ratio less than 100%	2.2	5.4
Pa.	<sup>4/</sup>	0.3	Not specific	<sup>4/</sup>	Not specific	9.2
P.R.	\$589 million	1.0	5.4	\$370 million	0.5	5.4
R.I. <sup>2/</sup>	6.4% of total payrolls	0.8	5.4	2.75% of total payrolls	2.3	8.4
S.C.	3.5% of payrolls	0.19	5.4	2.5% of payrolls	1.24	5.4
S. Dak.	More than \$11 million	Not specific	8.0	\$5.5 million	1.55	9.5
Tenn.	\$700 million	0.0	10.0	\$300 million	0.5	10.0
Tex.	2% of taxable wages for 4 CQ's ending preceding June 30	0.0	6.0	1% of taxable wages for 4 CQ's ending preceding June 30 or \$400 million	0.0	6.0
Utah	2.0 x min. adequate reserve	0.4	8.0	1.5 x min. adequate reserve	Not specific	8.0

# TAXATION

Table 206.-- Fund Requirements for Most and Least Favorable Schedules and Range of Rates for Those Schedules <sup>1/</sup> (continued)

		Most favorable schedule		Least favorable schedule <sup>2/</sup>		
		Range of rates			Range of rates	
States	Fund must equal at least	Min.	Max.	When fund balance is less than *****	Min.	Max.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Vt. <sup>8/</sup>	2.5 x highest ben. cost rate	0.4	5.4	1.0 x highest ben. cost rate	1.3	8.4
Va. <sup>2/</sup>	5.0% of payrolls	0.0	6.2	3.0% of payrolls	0.52	6.2
V.I.	*****	0.1	9.5	*****	0.1	9.5
Wash.	3.4% of payrolls <sup>4/</sup>	0.48	5.4	1.4% of payrolls <sup>4/</sup>	2.48	5.4
W.Va.	.0175% of gross covered wages	0.0	7.5	3.0% of gross covered wages	1.5	7.5
Wis.	\$1 billion	0	8.9	\$300 million	0.27	8.9
Wyo.	More than 5% of payrolls	0	Not specific	\$.0% of payrolls	0.0	8.5 <sup>11/</sup>

<sup>1/</sup>See also Table 207.

<sup>2/</sup>Payroll used is that for last yr. except as indicated: last 3 yrs., Conn.; average 3 yrs., Va.; 3-yr. average, R.I., or greater, N.Y.. Benefits used are last 5 yrs., Okla..

<sup>3/</sup>In Miss., variations in rates based on general experience rate and excess payments adjustment rate.

<sup>4/</sup>No requirements for fund balance in law; rates set by agency in accordance with authorization in law, Pa.; 2.90 in the most favorable and 1.00 in the least favorable for 1995, Wash..

<sup>5/</sup>Fund requirement is 1 or 2 of 3 adjustment factors used to determine rates. Such a factor is either added or deducted from an ER's benefit ratio, Fla.. In Pa., reduced rates are suspended for ERs whose reserve account balance is zero or less. Rate shown includes the max. contribution (a uniform rate added to ER's own rate) paid by all ERs: in Del., 0.1 to 1.5% according to a formula based on highest annual cost in last 15 yrs.; in N.Y., and Pa., 0.1 to 1.0%.

<sup>6/</sup>Higher rate schedule used whenever benefits charged exceeds contributions paid in any year, N.H..

<sup>8/</sup>Desired level in Ala. is 1-1/4 x the product of the highest payrolls of any 1 of the most recent 3 yrs. and the highest benefits payroll ratio for any 1 of the 10 most recent FYs. ERs rate is 80% of the average benefit cost rate multiplied by the ER's experience factor, Alaska. Adequate reserve fund defined as 1.5 x highest benefit cost rate during past 10 yrs. multiplied by total taxable remuneration paid by ERs in same yr., Hawaii. Minimum safe level defined as an amount equal to 2 standard deviations above the average of the adjusted annual average weekly unemployment benefit payment from 1970, to the most recent CY prior to the computation date, Ohio. Highest benefit cost rate determined by dividing: the highest amount of benefits paid during any consec. 12-month period in the past 10 yrs. by total wages during the 4 CQs ending within that period, Vt.; total benefit payments during past 10 yrs. by wages paid during past yr., Iowa.

<sup>9/</sup>For every \$50 million by which the fund falls below \$750 million, State experience factor increased 1%, for every \$50 million by which the fund exceeds \$750 million, State experience factor reduced by 1%, but the experience factor may not be increased or decreased by more than 10% (for CY's 1996-1998 the factor is 100%), Ill..

<sup>10/</sup>Subject to adjustment in any given yr. when yield estimated on computation date exceeds or is less than the estimated yield from the rates without adjustment.

<sup>11/</sup>Max. possible rate same as that shown except in Ariz., and Fla. where additional tax of 1.25%; and in Wyo. 1.5% may be required. Each contributing ERs rate increased by 10% when trust fund balance is negative, N.J.. Excluding adjustments of 0.2% if fund is 30% above min. safe level and an increase of 0.2% plus a calculated % if the fund is below the minimum safe level, Ohio.

<sup>12/</sup>Maximum contribution rate is the greater of 6.4% or the product of 6.4% and the adjusted State experience factor, Ill..

<sup>13/</sup>In the first quarter of each off numbered year the least favorable schedule will range from 2.17 percent to 5.4 percent and the most favorable schedule will range from 0.47 percent to 5.4 percent; however, in 1996 the min. contribution rate in the most favorable schedule will be 0.25 percent and in the least favorable schedule 1.95 percent, Oreg..

<sup>14/</sup>For rate year 1999 negative account balance ER's will pay contributions ranging from 1.1 percent to 6.0 percent, Kans..

<sup>15/</sup>For the period July 1, 1998 to June 30, 1999 an ER's contribution rate will be reduced by 50%, but the rate may not fall below 1.0%; ER's who qualify for an earned rate of 5.5% will be reduced to no less than 5.4%; ERs who qualify for an earned rate are given a rate of 0.1 percent will be reduced to 0.0 percent, Okla..

# TAXATION

Table 207.-- Surtaxes

State (1)	Surtax (2)	Amount <u>2/</u> (3)	Period or Conditions (4)	Purpose (5)
Ala.	Shared cost assessment special tax assessment	Not specified <u>3/</u> .06% <u>3/4/</u>	***** Until March 31, 2002	Shared or socialized costs Job search & placement, admin., repayment of advances
Alaska	Fund solvency adjustment	-.4% -1.1% <u>3/5/</u>	Triggered by specified fund reserve ratio Effective July 1, 1996- June 30 1998	Solvency
	Training tax	.1% per EE		Training & Employment Program
Ariz.	Additional	1.0% - 2.0%	Applies only to shared work ERs with neg. bal.	Limit shared work ERs' deficit
Ark.	Stabilization	.7% - 1.1% <u>3/</u>	When fund falls below .05% or .25% of payrolls	Solvency
	EB tax	.1%	When EB acct. below .2% payroll	EB cost
	Advance interest tax	.1% if pos. fund bal. and .2% if neg. fund bal. <u>1/</u>	Applies only when interest due on Fed. adv.	Pay Federal advances
Calif.	Emergency solvency surcharge rate	1.15% of ER's rate in sched. F	Fund below .6% payrolls	Solvency
	Surcharge for Employment and Training Fund	.1% <u>4/</u>	Expires 2002	Training and admin. costs <u>6/</u>
Colo.	Surcharge tax rate	Not specified <u>4/</u>	Benefits not effectively charged divided by total taxable payroll of all ERs, rounded to the nearest .01% *****	Administration, noncharged benefits
	Interest cost assess	<u>1/</u>	When monthly. fund bal. is = to or less than .09% of total wages	Federal advances
	Solvency tax surcharge	In increments of .1% up to max. contribution rate Not specified <u>3/</u>	Applies when fund bal. is = to or less than .9% of total wages reported by ERs	Solvency Solvency and Federal advances
	Bond assessment			
Conn.	Fund balance tax	0 - 1.4% <u>3/</u>	Trust fund bal. must not exceed .08% of total wages	Solvency
	Special assessment	<u>1/</u>	Applies only to interest due on Fed. advances	Interest on advances
	Bond assessment	Not specified	Assessment is a % of ER's charged tax rate	Repay advances
Del.	Supplemental solvency assessment	.5% - 2.5%	Rate depends on TF bal.	Solvency
	Blue collar job training tax	.1% - .15% per yr. of taxable wages	Rate depends on TF bal.	Counseling, training, placement of dislocated workers
	Temp. Emer. Assess.	<u>1/</u>	Applies only when interest due on Fed. adv.	Interest on advances
D.C.	Interest surcharge	.1% <u>1/</u>	Applies when int. bearing adv. are outstanding	Interest on advances
Fla.	*****	*****	*****	*****

(Table continued on next page)

# TAXATION

Table 207.-- Surtaxes (Continued)

State (1)	Surtax (2)	Amount <u>2/</u> (3)	Period or Conditions (4)	Purpose (5)
Ga.	Admin. Assessment Solvency increase	.06% <u>3/</u> 10% - 60% basic rate <u>5/</u>	Expires June 30, 2001 Fund res. ratio below 4.0%	Admin. Solvency
Hawaii	Employment and training fund assessment	.05% of taxable wages <u>3/4/</u>	Effective Jan. 1999 thru Dec. 31, 2000	Administration and training
Idaho	Fed. Advance interest repayment tax Reserve tax  Training tax	<u>1/</u>  Taxable wage rate less assigned contribution rate 3.0% of taxable wage rate	Applies when int. due on Fed. Advances Res. Fund is 1% or less of taxable wages Excludes deficits ERs from rate class 6. Expires Jan. 1, 2002	Int. on Fed. advances Loans, Fed. adv., int. on adv. ES & UI admin. costs Training & Admin. of training fund
Ill.	Fund building tax Federal penalty tax avoidance	.4% .2%	***** When fund below \$80M, increases by .2% for each yr. which fund remains below \$80M as of May 15 of that year	Solvency, Admin. Avoid loss of offset credit due to borrowing
Ind.	*****	*****	*****	*****
Iowa	Admin. surcharge Temporary emergency surcharge	.1% of Fed. taxable wages <u>3/</u> <u>1/</u>	Expires July 1, 2001 Applies only if int. due on Fed. advances	Cost of job serv. offices Int. on advances
Kans. <u>8/</u>	Surcharge	.1% - 1.0%	Applies only to neg. bal. ERs. With 2 or more yrs. experience	Limit neg. balance ERs. Deficit
Ky.	Additional contribution  Service Capacity Upgrade Fund	.3%  Not specified	Applies if insuff. funds are made available from Fed. Gov't. Applies when tax rate redu. occur from the new rate sched. from Jan. 1999 - Dec. 31, 2001	Admin.  Technology
La.	Solvency tax Bond repayment assessment	up to 30% of contrib. <u>3/</u> 1.4% on \$15,000 wage base <u>1/6/</u>	When fund under \$100M Applies only if bonds issued or outstanding	Solvency Pay bonds issued to pay Fed. adv., admin. costs
Maine	Additional contribution Special assessment	.4% <u>1/</u>	Effective for 1998-1999 Applies when int. due on Fed. advances	Solvency Int. due on Fed. adv.
Md.	Fund balance tax	.1% - 2.7% <u>3/</u>	When fund below 4.5% of tax. wage	Solvency

(Table continued on next page)

# TAXATION

Table 207.-- Surtaxes (Continued)				
State (1)	Surtax (2)	Amount <u>2/</u> (3)	Period or Conditions (4)	Purpose (5)
Mass.	Unemp. health ins. contrib.	Max. of \$1,680 per EE	Applies to ERs. w/ EE of 6 or more Effective for 1999- 2001	Medical Security Trust Fund workforce training
	Workforce training			
Mich.	Solvency tax	up to 2.0%	Neg. bal. ERs. with more than 4 yrs liability when the commission has outstanding Fed. Int. bearing loans	Solvency pay int. on Fed. advances
Minn.	Solvency assessment	10% of taxes <u>3/</u>	When fund under \$150M, 10%	Solvency
	Dislocated worker tax	.1%	40% must be allocated to JTPA and 60% to fund programs under worker dislocation	Training, Admin.
Miss.	Solvency rate	1.0% <u>3/</u>	Fund res. ratio below 4%	Solvency
Mo.	Additional rates	rates incr. 10%-30% plus	When fund below \$300M, 10%; when below \$250M, 20%; when below \$200M, 30%	Solvency
	Additional rate	<u>1/</u>	Applies only when int. due on Fed. loans	Int. on Fed. adv.
	Additional surcharge	<u>7/</u>	Applies to reimbursing ERs. thru Dec. 31, 1995	Solvency
Mont.	Admin. fund tax	.1% exper. rated ERs.; .05% other ERs.	*****	Administration
Nebr.	State Unemp. ins. tax	Not specified <u>3/</u>	*****	Trng & admin. cost
Nev.	Employment of claimants	.05% <u>3/</u>	*****	Trng. & admin. cost
N.H.	Emergency tax	.5% <u>3/</u>	When commissioner determines emergency exists	Solvency
	Adverse rating cost	90- day T-Bill rate on last bus. day in May x the excess of ben. to contrib. for preceding 3 yrs.	Applies only to ERs. with a neg. bal. for the 3 yrs. prior to the computation date	Reduce neg. ERs. deficit and recover lost Fund int.
	Special administrative	.1%	Expires July 1, 2002	Administration
N.J.	Rate increase	10% basic rate	When fund bal. neg.	Solvency
	Rate increase	.3%- .6% + 20% basic rate for rated ERs; .6% nonrated	When fund is less than 7% taxable wages	Solvency
	Advance interest tax	<u>1/</u>	Applies only when int. due on Fed. adv.	Int. on Fed. adv.
	Surcharge	\$1 per EE	*****	Catastrophic Illness in Children Relief Fund

(Table continued on next page)

# TAXATION

Table 207.-- Surtaxes (Continued)

State (1)	Surtax (2)	Amount <u>2/</u> (3)	Period or Conditions (4)	Purpose (5)
N.Mex	*****	*****	*****	*****
N.Y.	Subsidiary tax Re-Employment Service Fund	.525% to .925% .075%	When Gen. Acct. bal. Below \$120M *****	Solvency Automation, Re- employment serv., admin. Int. on Fed. adv.
	Additional tax	.3%	To pay Fed. adv.	
N.C.	Reserve Fund tax	20% of contrib. due	When fund Below 1.0% tax wages	Solvency & Trng.
N.Dak.	*****	*****	*****	*****
Ohio	Min. safe level	.025%- .2% + additional % determined by formula <u>3/</u>	When fund 15% or more below min. safe levels	Solvency
Okla.	Surcharge	Not specified	Applies for any qtr. the fund drops below \$25 million	Solvency
Oreg.	Fed. adv. int. repayment tax Wage tax security	<u>1/</u> .03% <u>4/</u>	Applies only when int. due on Fed. advances Qtr. ending 6-30-89 and 1 <sup>st</sup> qtr. of every odd numbered year thereafter	Int. on Fed. adv.  Special fund to cover claims on bankrupt ERs. JOBS PLUS prog.
	Additional	.25% <u>4/</u>	*****	
Pa.	Surcharge	-1.5% -8.0% <u>3/</u>	Fund bal. ratio at or above 150% or below 110%	Solvency
	Additional Employee	0% - .75% <u>3/</u> 0% - .2% <u>3/</u>	Fund bal. ratio at least 75% or below 50% Fund bal. ratio at least 110% or below 75%	Solvency Solvency
	Advance int. tax	Up to 1.0% <u>1/3/</u>	Applies only when int. due on Fed. adv.	Int. on Fed. adv.
P.R.	Advance int. tax Special tax	<u>1/</u> 1.0% <u>3/</u>	Applies only when int. due on Fed. adv. *****	Int. on Fed. adv. Empl., trng., admi.
R.I.	Surtax Job Dev. assessment	.3% quarterly <u>3/</u> .19% <u>3/</u>	Fund bal. below zero *****	Solvency Job Dev. Fund
S.C.	Admin. contingency assessment Additional rates	.06% <u>4/</u> .35% - 1.05% <u>4/</u>	*****  Statewide reserve ration below 3.5%. Applies only to rates less than 2.64% and may not increase rates beyond 2.64%	Job placement for claimants Solvency
S. Dak	Investment S.D. future fee Additional rates	.7%-0% rated ERs; .7% new ERs <u>3/</u> .1% - 1.5%	Varies according to ERs. reserve ratio  When fund below \$11M	Research & econ. dev. Solvency
Tenn.	Interest tax Job skills fee	<u>1/</u> .15% <u>11/</u>	Applies only when int. due on adv. *****	Int. on Fed. adv. Job skills program

(Table continued on next page)

# TAXATION

Table 207.-- Surtaxes (Continued)

State (1)	Surtax (2)	Amount <sup>2/</sup> (3)	Period or Conditions (4)	Purpose (5)
Tex. <u>6/</u>	Deficit tax rate	Up to 2.0%	When fund below the greater of \$400M or 1% taxable wages	Solvency
	Advance int. tax	Up to 2.0% <u>1/</u>	Interest outstanding	Pay interest on outstanding indebtedness
	Employment Training Investment tax	.1%	Expires at end of 1999	Smart Jobs Fund prog
Utah	*****	*****	*****	*****
Vt.	*****	*****	*****	*****
V.I.	Solvency rate	-.5% - 2.4%	*****	Solvency
Va.	Fund building rate	.2% <u>3/</u>	When fund bal. factor 50% or less	Solvency
Wash.	Special Employment Assistance tax	.2% <u>3/</u>	*****	Program to assist unemployed, admin.
	Surtax	.015% <u>1/</u>	*****	Fed. advances
	Dislocated worker tax	.012% <u>3/</u>	Effective until June 30, 1999	Training employ. for dislocated workers
W.Va.	Surtax	1.0%	Until Jan. 1, 1994. Applies only to neg. bal. ERs., new foreign corporations and business entities engaged in construction trades	Limit neg. bal. ERs. deficit
	Assessment	.35% on EEs, % on ERs on \$21,000 tax wage base to = EE assessment <u>1/6/</u>	When bonds outstanding	Retire bonds, Fed. advances
Wis.	Fed. Int. Tax <u>9/</u>	Not specified	Applies when int. due on Fed. adv.	Int. on Fed. adv.
Wyo.	Adjustment factor	Up to 1.25% <u>3/</u>	When fund less than 4.0% of total payroll	Solvency
	Special reserve fund rate	20% of base rate or a variation computed and assigned by the department	When fund balance less than 1.0% of total wages.	Workforce development program, administration

1/In these States, the surtax rate is unspecified and will be determined by the amount of interest due on Federal advances. Excludes reimbursing ERs from interest payment surtaxes, Ark., Conn., D.C., Idaho, La., Maine, N.J., Ohio, Oreg., Pa., Tex., and Wash.. Excludes governmental entities, reimbursing nonprofit organizations, political subdivisions electing the special rate, negative balance ERs, and ERs with positive balances of 7.0% or more, Colo.; excludes ERs with no benefit charges for 2 yrs. and no negative balance for the same 2 yrs, Tenn.; excludes governmental ERs and ERs assigned a zero rate, Iowa; excludes zero rated ERs, Oreg.; excludes reimbursing governmental entities or instrumentalities and nonprofit organizations, Del.; excludes new ERs, Pa.. In some States with interest payment surtaxes it is not clear whether such surtaxes apply only to contributory employers.

2/Percentage figures include percent of taxable payroll, unless otherwise indicated.

3/Excludes reimbursing ERs: Ark., Conn., Ga., Hawaii, La., Md., Minn., Miss., Nebr., Nev., N.H., Ohio, R.I., S.Dak., Va., Wash., and Wyo.; new ERs, Ala., Alaska, and Pa.; excludes governmental entities and political subdivisions, P.R.; governmental entities, reimbursing nonprofit organizations, and political subdivisions electing the special rate, Colo.; ERs at minimum .06%, negative balance ERs at 8.64%, and reimbursable ERs who elect to contribute, Ga.; governmental entities and nonprofit organizations, Iowa; reimbursing ERs and ERs who pay 5.4% or more, Nev.; surcharge and additional taxes exclude reimbursing ERs, new ERs exempted from additional tax, and EE tax assessed on total wages, Pa.; ERs assigned the min. rate under schedule A and any ER whose account has not been charged during the 3 preceding FYs but pay the min. rate under schedule B, Ala.; exempts ERs whose benefit charge account balance for the last 3 FYs is less than \$100, Colo..

(Footnotes continued on next page)

# TAXATION

(Footnotes for Table 207 continued)

4/Calif., S.C., (add. rate) exclude negative balance ERs; S.C. (contin. assess.) excludes nonprofit organizations, certain governmental ERs and ERs paying 5.4%; Ala., excludes reimbursing ERs, new ERs and ERs paying at least 5.4% but not more than 5.45%; excludes ERs paying 5.4%, Ala., Hawaii, and Oreg.; Colo., excludes ERs whose benefit charge account balance is zero.

5/No annual increase or decrease more than .03% Alaska; no more than two step increase in rate, excludes reimbursing ERs, Ga..

6/Interest payment is not the sole purpose of interest payment surtaxes in the following States: also for payment of bonds issued to pay Federal advances, debt service, administrative costs, La.; also to pay debt service on bonds issued to avoid or pay Federal advances, Tex.; also to retire bonds, W.Va.; interest on Federal advances may be paid from Employment Training Fund if approved by legislature, Calif..

7/Prime rate of corporate loans x total benefit payments charged to ER's account, Mo..

8/The surcharge will not apply for CY 1999, Kans..

9/Inoperative unless authorized by the State agency.

10/The reserve fund tax will not apply for a year if the reserve fund exceeds \$163,349,000, N.C..

11/ ERs. Assessed a UI premium rate and has a reserve ratio from 0% up to and including 12.0% will be assessed the .15%. Job skills fee when the most favorable schedule is in effect, Tenn..



# TAXATION

Table 208.—Fund Requirements for any Reduction from Standard Rate, 15 States <sup>1/</sup>

State	Millions of dollars (3 States)	Percent of payrolls (11 States)	
		Percent	Years
(1)	(2)	(3)	(4)
Ariz.	.....	3	Last 1
D.C.	.....	2.4	Last 1
Hawaii	15	.....	.....
Idaho	.....	1.75	Last 1
Ind.	75	.....	.....
Ky.	.....	<u>2/</u>	<u>2/</u>
Md.	.....	2	Last 1
Miss.	.....	4	Last 1
Mont.	.....	1	Last 1
N.H. <sup>1/</sup>	.....	.....	.....
N. Mex.	.....	1	Last 1
N. Dak.	.....	3	Last 1
S.Dak.	5	.....	.....
Utah	.....	0.5	Last 1
Wash.	.....	4.0	Last 1

<sup>1/</sup>Suspension of reduced rates is effective at any time, if benefits paid exceed contributions credited, N.H..

<sup>2/</sup>Rate schedule applicable depends upon "fund solvency factor." An 0.4 factor required for any rate reduction, Ky..

<sup>3/</sup>No ER's rate may be less than 1.8% unless the fund balance is at least twice the amount of benefits paid in last year, nor may any ER's rate be less than 2.7% unless total assets of fund in any CQ exceeds total benefits paid from fund within the first 4 of the last 5 completed CQ's preceding that quarter.

# TAXATION

Table 209.—Bond or Deposit Required of Employers Electing Reimbursement, 32 States

State	Provisions is		Amount		Other (7 States)
	Mandatory (12 States)	Optional (20 States)	Percent of total payrolls (7 States)	Percent of taxable payrolls <u>1</u> / (18 States)	
(1)	(2)	(3)	(4)	(5)	(6)
Ala.	X	• • • • •	• • • • •	<u>2</u> /	• • • • •
Alaska	• • • • •	X	• • • • •	• • • • •	<u>3</u> /
Ariz.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
Ark.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
Calif.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
Colo.	• • • • •	X <u>7</u> /	• • • • •	<u>2</u> /	• • • • •
Conn.	• • • • •	X <u>4</u> /	• • • • •	<u>2</u> /	• • • • •
Del.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
D.C.	• • • • •	X	• • • • •	0.25	• • • • •
Fla.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
Ga.	• • • • •	X <u>5</u> /	2.7	• • • • •	• • • • •
Hawaii	X	• • • • •	0.2	• • • • •	• • • • •
Idaho	• • • • •	X	• • • • •	• • • • •	<u>2</u> /
Ill.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
Ind.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
Iowa	X	• • • • •	• • • • •	2.7	• • • • •
Kans.	• • • • •	X	• • • • •	5.4	• • • • •
Ky.	• • • • •	X <u>7</u> /	2.0	• • • • •	• • • • •
La.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
Maine	• • • • •	X	• • • • •	<u>6</u> /	• • • • •
Md.	X	• • • • •	• • • • •	<u>2</u> /	• • • • •
Mass.	• • • • •	X	• • • • •	<u>2</u> /	• • • • •
Mich. <u>11</u> /	X	• • • • •	• • • • •	• • • • •	<u>3</u> /
Minn.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
Miss.	• • • • •	X	• • • • •	<u>10</u> /	• • • • •
Mo.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
Mont.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
Nebr.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
Nev.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
N.H.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
N.J.	• • • • •	X	• • • • •	<u>2</u> /	• • • • •
N. Mex. <u>11</u> /	X	• • • • •	• • • • •	<u>2</u> /	• • • • •
N.Y.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
N.C.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
N.Dak.	• • • • •	• • • • •	• • • • •	• • • • •	• • • • •
Ohio	X	• • • • •	• • • • •	3.0 <u>2</u> /	• • • • •

(Table continued on next page)

# TAXATION

Table 209.--Bond or Deposit Required of Employers Electing Reimbursement, 32 States (Continued)

State	Provisions is		Amount		Other (7 States)
	Mandatory (12 States)	Optional (20 States)	Percent of total payrolls (7 States)	Percent of taxable payrolls <sup>1/</sup> (18 States)	
(1)	(2)	(3)	(4)	(5)	(6)
Okla.	••••••••	••••••••	••••••••	••••••••	••••••••
Oreg.	X	••••••••	8/	••••••••	••••••••
Pa.	X	••••••••	••••••••	1.0	••••••••
P.R.	X	••••••••	••••••••	••••••••	••••••••
R.I.	••••••••	X	••••••••	••••••••	2/
S.C.	••••••••	X	4/	••••••••	4/
S.Dak.	••••••••	X	••••••••	2/	••••••••
Tenn.	••••••••	••••••••	••••••••	••••••••	••••••••
Tex.	••••••••	X	6/	••••••••	••••••••
Utah	••••••~•	X	2/	••••~•••	••••~•••
Vt.	••••~•••	••••~•••	••••~•••	••••~•••	••••~•••
Va. <sup>2/</sup>	••••~•••	X	••••~•••	2/	••••~•••
V.I.	X	••••~•••	••••~•••	1.35	••••~•••
Wash.	••••~•••	X	••••~•••	••••~•••	2/
W.Va.	••••~•••	••••~•••	••••~•••	••••~•••	••••~•••
Wis.	X	••••~•••	••••~•••	4.0 <sup>2/</sup>	••••~•••
Wyo.	••••~•••	X	••••~•••	••••~•••	3/

<sup>1/</sup>First \$7,000 of each worker's annual wages.

<sup>2/</sup>Amount determined by director or administrator: not to exceed the max. percentage charged to contributing ERs, Ala., 1.0%, Utah; on basis of potential benefit cost, Idaho; greater of 3 x amount of regular and 1/2 extended benefits paid, based on service within past yr. or sum of such payments during past 3 yrs. but not to exceed 3.6% nor less than 0.1%, Colo.; not more than \$2,000,000, Ohio. Sufficient to cover benefit costs but not more than the amount organization would pay if it were liable for contributions, Wash.; 2.7% of taxable wages if the organization has taxable wages less than 25 x the taxable wage base or 5.4% of taxable wages if the organization's taxable wages equal or exceed 25 x the taxable wage base, Md.; 2.7% of contributions times the organization's taxable wages, N.Mex.; determined by commission based on taxable wages for preceding yr., Va.; for the preceding yr. or anticipated payroll for current yr., whichever is greater, Wis.; max. effective tax rate x organizations' taxable payroll, S.Dak.; not to exceed the maximum contribution rate in effect, Conn., Mass., N.I.; no greater than double the amount of estimated tax due each month, but not less than \$100, R.I..

<sup>3/</sup>Specifies that amount shall be determined by regulation, Alaska; no amount specified in law, Mich., and Wyo..

<sup>4/</sup>If administrator deems necessary because of financial conditions, Conn.; commission may adopt regulations requiring bond from nonprofit organizations which do not possess real property and improvements valued in excess of \$2 million; regulation requires bond or deposit of minimum of \$2,000 for ERs with annual wages of \$50,000 or less, for annual wages exceeding \$50,000, an additional \$1,000 bond required for each \$50,000 or portion thereof, S.C..

<sup>5/</sup>Exempts nonprofit institutions of higher education from any requirement to make a deposit.

<sup>6/</sup>By regulation; not less than 2.0% nor more than 5.0% of taxable wages, Maine; higher of 5.0% of total anticipated wages for next 12 months or amount determined by the commission, Tex..

<sup>7/</sup>Regulation states that bond or deposit shall be required only if, as computed, it is \$100 or more, Colo.; bond or deposit required as condition of election unless commissioner determines that the employing unit or a guarantor possesses equity in real or personal property equal to at least double the amount of bond or deposit required, Ky..

<sup>8/</sup>Amount for payrolls under \$100,000 is 2.0%; \$100,000-\$499,999, 1.5%; \$500,000-\$999,999, 1.0%; \$1 million and over, 0.5%, but not more than the max. contribution that would be payable.

<sup>9/</sup>Provision inoperative.

<sup>10/</sup>2.7% for nonprofit organizations and 2.0% for governmental entities, Miss..

<sup>11/</sup>Applies only to nonprofit organizations, N.Mex., and Mich.. However, Mich. excludes nonprofit reimbursing ERs who pay \$100,000 or less remuneration in a calendar year.

# TAXATION

Table 210.--Financing Provisions for Governmental Entities

State	Single Choice for State <u>1/</u>	Options--		
		Reimbursement	Regular contributions	Special schedule <u>9/</u>
(1)	(2)	(3)	(4)	(5)
Ala.	X	X	X	.....
Alaska	.....	X	X	.....
Ariz.	.....	X	X	.....
Ark.	.....	X	X	.....
Calif.	.....	X <u>4/</u>	X	X <u>4/</u>
Colo.	X	X	X	.....
Conn.	X	X	X	.....
Del.	.....	X	...	X
D.C.	.....	X	X	.....
Fla.	.....	X	X <u>6/</u>	.....
Ga.	.....	X	X	.....
Hawaii	.....	X	X	.....
Idaho	.....	X	X	.....
Ill.	X <u>1/</u>	X	X	X
Ind.	.....	X	X <u>7/</u>	.....
Iowa	.....	X	X	X
Kans.	.....	X	X	X
Ky.	.....	X	X	.....
La.	.....	X	X	.....
Maine	.....	X	X	.....
Md.	.....	X	X	.....
Mass.	.....	X	...	X
Mich.	.....	X	X	.....
Minn.	.....	X	X	.....
Miss.	X	X	X	X
Mo.	.....	X	X	.....
Mont.	.....	X	...	X
Nebr.	.....	X	X	.....
Nev.	.....	X	X	.....
N.H.	X	X	X	.....
N.J.	.....	X	X	.....
N.Mex.	X	X <u>5/</u>	X	X <u>5/</u>
N.Y.	X	X	X	.....
N.C.	.....	X	X	.....
N.Dak.	.....	X	X	X
Ohio	.....	X	X	.....
Okla.	X <u>2/</u>	X	...	X
Oreg.	X	X	X	X

(Table continued on next page)

# TAXATION

Table 210.--Financing Provisions for Governmental Entities (Continued)

State	Single Choice for State <u>1/</u>	Options--		
		Reimbursement	Regular contributions	Special schedule <u>2/</u>
(1)	(2)	(3)	(4)	(5)
Pa.	X	X	X	.....
P.R.	.....	X	X	.....
R.I.	.....	X	X	.....
S.C.	.....	X	X	.....
S.Dak.	X	X	X	.....
Tenn.	.....	X	X	X
Tex.	.....	X	...	X
Utah	X	X	X	.....
Vt.	X <u>3/</u>	X	X	.....
Va.	.....	X	X	.....
V.I.	.....	X	X	.....
Wash.	X	X	X <u>8/</u>	X <u>8/</u>
W.Va.	.....	X	X	.....
Wis.	X	X	X <u>7/</u>	.....
Wyo.	.....	X	X	.....

1/ All States except Okla. require reimbursement, see footnote 3. Ill. finances benefits paid to State employees by appropriation to the State Department of Labor which then reimburses the unemployment compensation fund for benefits paid.

2/ Requires State and any political subdivision electing contributions to pay 1.0% of wages into the State unemployment compensation fund.

3/ State institutions of higher education have option of contributions or reimbursement; all other State agencies must reimburse.

4/ Local Public Entity Employee's Fund and School Employee's Fund have been established in the State Treasury to which political subdivisions and schools, respectively, contribute a percentage of their payrolls and from which the State unemployment compensation fund is reimbursed for benefits paid.

5/ Political subdivisions may also participate in a Local Public Body Unemployment Compensation Reserve Fund managed by the Risk Management Division. See text for details.

6/ Governmental entities that elect contributions pay on gross rather than taxable wages and at an initial rate of 0.25% until a rate can be computed the year following election of contributions based on the ER's experience.

7/ Governmental entities that elect contributions pay at 0.1% rate until they have 36 months of experience, Ind., at 2.7% for the first 3 years of election, Wis.

8/ Counties, cities and towns may elect either regular reimbursement or the Local Government Tax. Other political subdivisions may elect either regular reimbursement or regular contributions. See text for details.

9/ See text for details.