

## CHAPTER 3

### MONETARY ENTITLEMENT

#### IN GENERAL

This chapter deals with the monetary requirements of state UI laws, including work history, benefit amounts, and the length of time during which an individual may receive UC.

Although the states have developed many different ways to determine monetary entitlement to UC, there are also many similarities. This chapter discusses the following:

- wages and employment needed in a “base period” to qualify;
- period during which UC may be collected, commonly called the “benefit year”;
- amount payable for a week of total or partial unemployment;
- dependents’ allowances;
- waiting periods; and
- maximum amount of regular UC an individual may receive in a benefit year.

*Note:* Information regarding deductible income provisions is located in the nonmonetary eligibility chapter starting on page 5-40.

While most individuals are employed in the state in which they reside, many individuals regularly commute to a different state to work, work in more than one state, or move to a different state to look for new work when they become unemployed. The law of the state under which the individual claims benefits applies as it would for any other individual. Determinations on eligibility, disqualifications, and the amount and duration of benefits are made by the state in which the wages were paid. However, the process by which these individuals apply for benefits may vary. (For example, the Interstate Benefit Payment Plan provides a method of filing for benefits in the state in which an individual has qualifying wages even though the individual is not physically present in that state.)

Although this chapter analyzes monetary factors separately, the relationship among these factors is complex. In comparing state laws, consideration often needs to be given to these relationships.

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## BASE PERIOD AND BENEFIT YEAR

An individual’s benefit rights are determined using wages and employment during a period of time called the base period. Benefits may be paid during a period of time called the benefit year. Individuals who exhaust their benefits before the end of a benefit year must wait until a new benefit year is established before they can again draw benefits.

**BENEFIT YEARS**—The benefit year is a 1-year or 52-week period during which an individual may receive benefits based on a previous period of employment. In all states, the beginning date of the benefit year depends on when an individual first files a “valid claim,” meaning the individual meets minimal wage and employment requirements. In most states, the benefit year begins with the week in which the valid claim is filed. Exceptions are:

TABLE 3-1: WHEN BENEFIT YEAR BEGINS - OTHER THAN THE WEEK A FIRST CLAIM IS FILED	
AR	Benefit year begins with the first day of the quarter in which a claim is first filed. As a result, the benefit “year” ranges from 40 to 52 weeks.
NY	Benefit year consists of 53 weeks beginning with the effective date of a valid claim.

**BASE PERIODS**—The base period is the time period during which wages earned and/or hours/weeks worked are examined to determine an individual’s monetary entitlement to benefits. Almost all states use the first 4 of the last 5 completed calendar quarters preceding the filing of the claim as their base period. Massachusetts uses the four completed calendar quarters preceding the first day of the benefit year. Minnesota uses the last four completed calendar quarters provided the effective date of the claim is not during the month immediately following the fourth completed calendar quarter.

Because base-period employment and/or earnings are an imperfect proxy for labor market attachment, there are instances when individuals with labor market attachment are ineligible for benefits. To address this, some states developed expanded definitions of the base period.

**Alternative Base Periods (ABP)**—A base period consisting of the first 4 of the last 5 completed calendar quarters results in a lag of up to 6 months between the end of the base period and the date an individual becomes unemployed/files a claim. As a result, the individual’s most recent work history is not used when making an eligibility determination. For individuals failing to qualify under the regular base period, many states use an ABP. For example, if the individual fails to qualify using wages and employment in the first 4 of the last 5 completed calendar quarters, the state will use wages and employment in the last 4 completed calendar quarters.

**Extended Base Periods (EBP)**—Several states allow individuals who have no wages in the current base period to use older wages and employment under certain conditions. These conditions typically involve illness or injury. For example, an individual who was injured on the job and who has collected workers’ compensation benefits may use wages and employment preceding the date of the individual’s injury to establish eligibility. (Note that some state laws may describe these base periods as “alternative” base periods.)

The following table outlines the options states use in addition to the standard base period.

TABLE 3-2: STATES WITH ALTERNATIVE AND EXTENDED BASE PERIODS			
State	ABP/EBP	State	ABP/EBP
AK	ABP: Last 4 completed quarters ----- EBP: BP extended up to 4 quarters if individual was incapable of working during the greater part of a quarter	AR	ABP: Last 4 completed quarters ----- EBP: Up to 4 quarters if individual has insufficient wages to establish a claim because of a job-related injury for which the individual received worker’s compensation

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**TABLE 3-2: STATES WITH ALTERNATIVE AND EXTENDED BASE PERIODS**

State	ABP/EBP	State	ABP/EBP
AZ	EBP: Last 4 completed quarters following previous BP when new BY overlaps preceding BY; also, first 4 of last 5 completed quarters preceding the week a compensable industrial injury began if not qualified under normal base period, if claim is filed within 2 years of beginning of disability	CA	ABP: Last 4 completed quarters
CO	ABP: Last 4 completed quarters	CT	ABP: Last 4 completed quarters ----- EBP: Last 4 completed quarters preceding sickness or disability
DE	ABP: Last 4 completed quarters	DC	ABP: Last 4 completed quarters
GA	ABP: Last 4 completed quarters	HI	ABP: Last 4 completed quarters
ID	ABP: Last 4 completed quarters ----- EBP: An individual who experienced a temporary total disability may elect a BP of the first 4 of the last 5 completed quarters preceding the disability if the individual filed a claim within 3 years of the disability and no later than 6 months after the end of the disability	IL	APB: Last 4 completed quarters ----- EBP: BP extended up to 1 year if the individual received temporary total disability under a workers' compensation act or occupational diseases act
IN	EBP: Up to 4 quarters preceding the last day the individual was able to work	IA	ABP: Last 4 completed quarters ----- EBP: BP extended 3 or more quarters if the individual received workers' compensation or weekly indemnity insurance benefits for 3 or more quarters
KS	EBP: Last 4 completed quarters preceding the date of qualifying injury	KY	EBP: BP extended up to 4 quarters if an individual, due to job-related injury or who has received workers' compensation, files a UI claim within 4 weeks after having last received workers' compensation
ME	ABP: Last 4 completed quarters ----- EBP: BP extended up to 4 quarters if 1 quarter has been used in a previous determination, extend the BY up to 1 week if there would otherwise be overlapping of the same quarter in 2 consecutive BPs	MD	ABP: Last 4 completed quarters
MA	ABP: Last 3 quarters, plus any weeks of work in quarter in which claim is filed; individual may also elect to use this ABP if it results in a 10% or more increase in WBA ----- EBP: BP extended to 52 weeks if individual received compensation for temporary total disability under a workers' compensation law for more than 7 weeks in BP	MI	ABP: Last 4 completed quarters if individual fails to meet qualifying wage requirements
MN	ABP: First 4 of last 5 completed quarters <sup>1</sup> ----- EBP: Up to 4 quarters depending on length of time an individual received compensation for temporary disability under a workers' compensation law	MT	ABP: Last 4 completed quarters ----- EBP: Up to 4 quarters preceding the disability if the claim was filed within 24 months from the date of the individual's disability
NE	ABP: Last 4 completed quarters	NV	ABP: Last 4 completed quarters ----- EBP: Last 4 quarters preceding BY if 1 quarter has been used in a previous determination; extend the BY up to 1 week if there would otherwise be overlapping of the same quarter in 2 consecutive BPs
NH	ABP: Last 4 completed quarters	NJ	ABP: BP may be one of two alternatives: 1) last 4 completed quarters or 2) last 3 completed quarters, plus any weeks of work in quarter in which claim is filed
NM	ABP: Last 4 completed quarters	NY	ABP: Last 4 completed quarters

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**TABLE 3-2: STATES WITH ALTERNATIVE AND EXTENDED BASE PERIODS**

State	ABP/EBP	State	ABP/EBP
NC	ABP: Last 4 completed quarters ----- EBP: Up to 4 quarters, if individual has insufficient wages to establish a claim because of a job-related injury for which the individual received workers' compensation	OH	ABP: Last 4 completed quarters
OK	ABP: Last 4 completed quarters ----- EBP: 4 quarters prior to regular base period	OR	ABP: Last 4 completed quarters ----- EBP: BP extended up to 4 quarters if the individual is disabled for the majority of a quarter; if the individual received worker's compensation, the base year can be extended up to 4 quarters preceding the illness or injury
PA	EBP: Last 4 completed quarters immediately preceding the date of the injury if the individual was eligible for workers' compensation during the individual's current BP	PR	ABP: Last 4 completed quarters
RI	ABP: Last 4 completed quarters ----- EBP: Individual who received workers' compensation and has requested reinstatement to a previous position that no longer exists is eligible to have base period determined as of the date of the work-related injury	SC	ABP: Last 4 completed quarters
SD	ABP: Last 4 completed quarters ----- EBP: Individual who received temporary total disability payments under workers' compensation law may use a BP of the first 4 of the last 5 completed quarters preceding the disability if a claim is filed within 24 months of the date the disability occurred	TX	EBP: If an initial claim is filed within 24 months from the date an individual's illness or injury began or occurred, the BP will be the first 4 of the last 5 completed quarters preceding the illness or injury
UT	ABP: Last 4 completed quarters ----- EBP: First 4 of last 5 completed quarters prior to date of illness/injury; individual must have received temporary disability payments during normal BP, filed initial claim no later than 90 days after release to work and within 36 months of the date the injury/illness occurred	VA	ABP: Last 4 completed quarters
VI	ABP: Last 4 completed quarters	VT	ABP: One of two alternatives: 1) last 4 quarters or, if still ineligible 2) last 3 quarters plus any weeks of work in quarter in which claim is filed
WA	ABP: Last 4 completed quarters	WV	ABP: Last 4 completed quarters <sup>2</sup>
WI	ABP: Last 4 completed quarters	WY	EBP: An individual who experienced a temporary total disability under workers' compensation may elect a BP of the last 4 completed quarters preceding the date of injury if the individual filed a claim within 3 years of the date of injury and no later than 60 days after notice of the end of the disability

GENERAL NOTE: Information about various base periods used in MA and MN is located in paragraphs preceding this table.

<sup>1</sup> If the claim has an effective date during the month immediately following the last completed calendar quarter, the base period is the first 4 of the last 5 completed calendar quarters; however, the first 4 of the last 5 completed calendar quarters must be used if the individual has more wage credits in those quarters than in the last 4 completed quarters.

<sup>2</sup> To be eligible under ABP, must have total BPW of at least \$2,200 and wages in at least 2 quarters.

## QUALIFYING WAGES OR EMPLOYMENT

All states require an individual to have earned a certain amount of wages or to have worked for a certain period of time (or both) within the base period to be monetarily eligible to receive any benefits. Most individuals qualify for benefits based on employment and wages in a single state. However, some individuals who work in more than one state will not have sufficient employment and wages in any single state to establish

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monetary eligibility, or would be eligible for a lower weekly benefit amount. In these situations, individuals may file a claim in one of the states where they worked, and elect to combine the employment and wages earned in one or more of the other states in which they had employment and wages to establish eligibility or to increase the weekly benefit amount. The “paying state” for a combined wage claim combines all base-period employment and wages earned under its law with employment and wages transferred from other states to determine the individual’s monetary eligibility under its law. For example, if the individual has earned wages in Illinois and Indiana, the individual may elect to file a combined wage claim using Illinois’ law. Because of the potential of establishing more than one benefit year in more than one state, Federal regulations stipulate that employment and wages transferred from one state to a second state for use in establishing a combined wage claim in that second “paying” state cannot be used again to establish monetary eligibility. The methods that states use to determine monetary eligibility vary greatly, as described in the following text.

**Multiple of High-Quarter Wages**—Under this method, individuals must earn a certain dollar amount in the quarter with the highest earnings of their base period. Individuals must also earn total base-period wages that are a multiple of the high-quarter wages (typically 1½). For example, if an individual earns \$5,000 in the high quarter, the individual must earn another \$2,500 in the rest of the base period. States require earnings in more than one quarter to minimize the likelihood that individuals with high earnings in only one quarter receive benefits.

**Multiple of Weekly Benefit Amount**—Under this method, the state first computes the individual’s weekly benefit amount. The individual must have earned an amount equal to or greater than a specified multiple of the weekly benefit amount during the base period. For example, if an individual’s weekly benefit amount is \$100, in a state requiring earnings equal to 40 times the weekly benefit amount, the individual will need base-period earnings of \$4,000. Most states also require wages in at least two quarters. Some states have weighted schedules that require varying multiples for varying weekly benefits.

**Flat Qualifying Amount**—States using this method require a certain dollar amount of total wages to be earned during the base period. This method is often used by states with an annual wage requirement for determining the weekly benefit, and by some states with a high-quarter-wage/weekly benefit requirement.

**Weeks/Hours of Employment**—Under this method, the individual must have worked a certain number of weeks/hours at a certain weekly/hourly wage.

The following table provides information on the qualifying formulas used by the states, and the minimum wages needed to qualify for benefits in each state.

TABLE 3-3: BASE PERIOD WAGE AND EMPLOYMENT REQUIREMENTS FOR BENEFITS			
State	Qualifying Formula: Wages or Employment	Minimum Wages Needed to Qualify:	
		High Quarter	Base Period
AL	1½ x HQW in BP		>\$2,314 (in 2 HQs)
AK	\$2,500 flat amount and wages in 2 quarters of BP		\$2,500
AZ	1½ x HQW in BP and 390 x minimum wage in effect (\$3,140) in one quarter; alternatively flat-amount requirement - wages in 2 quarters of BP, wages in 1 quarter sufficient to qualify for the maximum WBA, and total BPW ≥ the taxable wage base (\$7,000)	\$3,140	\$4,710
AR	35 x WBA in BP and wages in 2 quarters of BP		\$2,835
CA	\$1,300 in HQ; alternatively \$900 in HQ with BPW = 1¼ x HQ	\$900	\$1,125
CO	40 x WBA or \$2,500 in BP, whichever is greater	\$1,084 in 2 HQs	\$2,500
CT	40 x WBA in BP		\$600
DE	36 x WBA in BP; if insufficient BPW, but (36 x WBA) – BPW ≤ \$180, eligible for reduced WBA		\$720

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**TABLE 3-3: BASE PERIOD WAGE AND EMPLOYMENT REQUIREMENTS FOR BENEFITS**

State	Qualifying Formula: Wages or Employment	Minimum Wages Needed to Qualify:	
		High Quarter	Base Period
DC	\$1,300 in one quarter, \$1,950 in 2 quarters, and 1½ x HQW in BP or within \$70 of meeting the 1½ HQW in BP requirement	\$1,300	\$1,950 In 2 HQs
FL	1½ x HQW in BP; minimum of \$3,400 in BP	\$2,267	\$3,400
GA	1½ x HQW in BP; alternatively 1/21 HQW for WBA with 40 x WBA in BP and wages in 2 quarters	\$924	\$1,760 in 2 HQs
HI	26 x WBA in BP and wages in 2 quarters		\$130
ID	1¼ x HQW in BP and \$1,872 in HQW; minimum HQW, determined on January 1, must equal 50% of state minimum wage multiplied by 520 hours (rounded to the next lower multiple of the weekly benefit multiplier)	\$1,872	\$2,340
IL	\$1,600 flat amount and \$440 outside HQ		\$1,600
IN	1½ x HQW in BP, not less than \$4,200 in BP, and wages totaling at least \$2,500 in last 2 quarters of BP		\$4,200
IA	1¼ x HQW in BP (HQW must equal 3.5% of the statewide AAW) and ½ HQW in another quarter	\$1,430	\$2,150
KS	30 x WBA in BP and wages in 2 quarters	\$2,777	\$3,540
KY	1½ x HQW in BP, 8 x WBA in last 2 quarters of BP, \$750 outside HQW	\$2,154	\$3,230
LA	1½ x HQW in BP	\$800	\$1,200
ME	2 x AWW in each of 2 different quarters and total wages of 6 x AWW in BP	\$1,485 in each of 2 Qtrs	>\$4,455
MD	Wages in 2 quarters equal 1½ x \$1200 (established by schedule in law) and >\$1176 in HQ; alternate eligibility for a lower WBA can be established if BP wages meet a specified amount on the wage schedule.	>\$1176	\$1800
MA	30 x WBA in BP and \$3,500 minimum in BP		\$3,500
MI	1½ x HQW in BP and wages in 1 quarter equal to state minimum hourly wage x 388.06; alternatively BPW equal to 20 times the state AWW and wages in 2 quarters	\$2,871	>\$4306
MN	Higher of \$2,400 in BP or 5.3 percent of state AAW rounded to the lower \$100		\$2,600
MS	40 x WBA in BP, 26 x minimum WBA in HQ and wages in 2 quarters	\$780	\$1,200
MO	1½ x HQW in BP and \$1,500 in one quarter; alternatively wages in 2 quarters and BPW of 1½ x maximum taxable wage base for that year	\$1,500	\$2,250
MT	1½ x HQW in BP with total BP wages ≥ 7% of the AAW; alternatively total BPW ≥ 50% of AAW	\$1,719	\$2,578
NE	\$4,095 in BP, \$1,850 in HQ, \$800 in another quarter	\$1850	\$4,095
NV	1½ x HQW in BP and \$400 in HQ; alternatively wages in 3 of the 4 quarters in the BP and \$400 in HQ	\$400	\$600
NH	\$1,400 in each of 2 quarters	\$1,400	\$2,800
NJ	20 base weeks (base week is 20% of state AWW); alternatively 1,000 times the state minimum hourly wage (\$8.38)		\$3,300
NM	Wages in 2 quarters	\$1,872	\$1,873
NY	1½ x HQW in BP; HQW equal to 221 x state minimum wage, rounded to the next lower \$100 increment	\$1,900	\$2,850
NC	6 x AWW in BP and wages in last 2 quarters	\$780	\$1,560 in last 2 Qtrs
ND	1½ x HQW in BP	\$1,864	\$2,795 in 2.5 Qtrs
OH	20 weeks employment with wages in each week of at least 27.5% of the state AWW in BP and wages in 2 quarters		\$4,740
OK	1½ x HQW in BP and \$1,500 in BP; alternatively flat-amount requirement ≥ \$18,700 in BP (100% state taxable wage base)	\$375	\$1,500

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**TABLE 3-3: BASE PERIOD WAGE AND EMPLOYMENT REQUIREMENTS FOR BENEFITS**

State	Qualifying Formula: Wages or Employment	Minimum Wages Needed to Qualify:	
		High Quarter	Base Period
OR	1½ x HQW in BP and \$1,000 in BP; alternatively flat-amount requirement 500 hours of employment in BP	\$667	\$1,000
PA	18 credit weeks and at least 49.5% BPW outside of HQ (see table in law)	\$1,688	\$3,391
PR	40 x WBA in BP and wages in 2 quarters; if fail to meet qualifying requirement for WBA computed on HQW but do meet qualifying requirement for next lower bracket, eligible for lower WBA, unlimited step-down provision; PR has a flat qualifying requirement for agricultural workers; individual's annual salary is used for agricultural workers.	\$75	\$280
RI	1½ x HQW in BP and 200 x minimum hourly wage in 1 quarter and BP wages at least 400 x the minimum hourly wage; alternatively \$1200 x minimum hourly wage in BP	\$1,800	\$3,600
SC	1½ x HQW in BP and \$1,092 HQW and \$4,455 BPW	\$1,092	\$4,455
SD	\$728 in HQ and 20 x WBA outside HQ	\$728	\$1,288
TN	40 x WBA in BP and lesser of 6 x WBA or \$900 outside HQ	>\$780 in each of 2 Qtrs	>\$1,560 in 2 HQs
TX	37 x WBA in BP and wages in 2 quarters	\$1,588	\$2,368
UT	1½ x HQW in BP (BPW must be 8% of state average fiscal year wages in BP, rounded to the higher \$100)	\$2,267	\$3,400
VT	1.4 x HQW in BP (HQW will be adjusted by a percentage increase equal to the percentage increase in the state minimum wage for the prior year)	\$2,351	\$3,292
VA	\$3,000 in 2 highest quarters of BP		\$3,000 in 2 HQs
VI	1½ x HQW in BP and \$858 in HQ; alternatively flat-amount requirement \$858 in HQW and 39 x WBA in BP	\$858	\$1,287
WA	680 hours employment in BP and wages in BP or alternate BP		
WV	\$2,200 flat amount and wages in 2 quarters		\$2,200
WI	35 x WBA in BP with 4 x WBA outside HQ and wages in at least 2 quarters	\$1,350	\$1,890
WY	1.4 x HQW in BP (BPW must be ≥ 8% of statewide AAW rounded down to lower \$50 increment – minimum HQW requirement calculated by dividing BPW by 4 and rounded down to the lower \$50 increment)	\$850	\$3,550

GENERAL NOTE: Additional monetary requirements in some state laws result in minimum high-quarter and/or base-period wages that are higher than what the qualifying formula alone would require.

### QUALIFYING FOR A SECOND BENEFIT YEAR

Since the standard base period established by states' laws results in a significant lag between the end of the base period and the establishment of a benefit year, an individual could conceivably use lag-period wages and employment to qualify for 2 consecutive benefit years during one long unemployment spell (after benefits are exhausted and the first benefit year ended). As a result, all states require individuals to earn wages after the beginning of the first benefit year. In many states, the amount an individual must earn is a multiple (from 3 to 10) of the weekly benefit amount. A few states require an individual to earn wages sufficient to meet the minimum qualifying requirement. In addition, some states specify that the wages needed to requalify must be earned in covered employment.

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TABLE 3-4: WAGES NEEDED TO ESTABLISH NEW BENEFIT YEAR (AMOUNT TIMES WBA UNLESS INDICATED)									
State	Subsequent to Beginning of Preceding Benefit Year	Subsequent to Date of Last Valid Claim	Other	Wages Must Be in Insured Work	State	Subsequent to Beginning of Preceding Benefit Year	Subsequent to Date of Last Valid Claim	Other	Wages Must Be in Insured Work
AL	8			X	AK	8			
AZ	8				AR	8			X
CA			Equivalent qualifying wages as in preceding BY		CO	\$2,000			
CT	5 or \$300, whichever is greater			X	DE		10		X
DC	10				FL	3			
GA	10			X	HI	5			X
ID	6; wages must be in bona fide work				IL	3			
IN	8			X	IA	\$250			X
KS	8			X	KY	5			
LA	6; or 3/13th of HQW, whichever is less			X	ME	8			X
MD	10			X	MA	3			
MI	5				MN	\$2400 or 5.3% AAW			X
MS	8			X	MO		5; 10 x WBA in non-covered work		X
MT	6; or 3/13th of HQW, whichever is less			X	NE			Wages in insured work at least 6 x WBA	X
NV	3				NH	\$700 during or subsequent to benefit year			X
NJ	4 weeks of employment and at least 6 x WBA in wages				NM	5			
NY	10				NC	10			X
ND		10 <sup>1</sup>		X	OH	3 x AWW and covered employment in 6 weeks			X
OK	10			X	OR	6			X
PA	6				PR	3; for at least one CQ, but not < \$50			X



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**TABLE 3-4: WAGES NEEDED TO ESTABLISH NEW BENEFIT YEAR (AMOUNT TIMES WBA UNLESS INDICATED)**

State	Subsequent to Beginning of Preceding Benefit Year	Subsequent to Date of Last Valid Claim	Other	Wages Must Be in Insured Work	State	Subsequent to Beginning of Preceding Benefit Year	Subsequent to Date of Last Valid Claim	Other	Wages Must Be in Insured Work
RI	80 x the minimum hourly wage			X	SC	8			Insured work; must be with a single employer
SD	4			X	TN	5			X
TX	6				UT	6			X
VT	4			X	VA	30 days or 240 hours of work <sup>2</sup>			X
VI	6				WA	6			
WV	8			X	WI	8			X
WY	8				<sup>1</sup> Does not apply to employment by a partnership, corporation, or limited liability company if, at the time claim is filed, ownership interest has been ceded. <sup>2</sup> Must be with one employer.				

## WEEKLY BENEFIT AMOUNT

After determining if an individual has sufficient wages and/or employment to qualify for benefits, it is necessary to determine the weekly benefit amount, that is, the amount payable for a week of total unemployment. As previously mentioned, UI is intended to provide partial wage replacement. For this reason, all individuals do not receive the same benefit amount. Some states replace approximately 50% of individuals' lost wages up to a certain limit (usually the average weekly wage in the state). As a result, states tend to replace a higher percentage of low-wage individuals' income than they do for high-wage individuals. Several states provide dependents' allowances. All states round weekly benefits to an even dollar amount.

States determine eligibility for benefits on the basis of the calendar week (generally, Sunday through the following Saturday). In many states, the claim week is adjusted to coincide with the employer's payroll week when an individual files a benefit claim for partial unemployment.

### METHODS OF COMPUTING WEEKLY BENEFITS

As with qualifying wages, states utilize a variety of methods to determine an individual's weekly benefit amount.

**High-Quarter Method**—Slightly more than half of the states determine the weekly benefit amount by using the base period quarter in which wages were highest. This quarter is viewed as the period most nearly reflecting full-time work for the individual. By dividing this amount by 13 (the number of weeks in a calendar quarter) the average weekly wage is calculated. Based on the percentage of the weekly wage the state intends to replace, the weekly wage is divided and the weekly benefit amount is calculated. For example, an individual who earns \$2,600 in the high quarter has an average weekly wage of \$200 a week (\$2,600 divided by 13). If the state replaces ½ of the average weekly earnings, the weekly benefit amount is \$100. To simplify the calculations, states determine the "overall" multiple of the high-quarter wages to determine the weekly benefit amount. In the previous example, it would be 1/26 (1/13 times ½). The most common multiple used by states is 1/26. Other states that use high-quarter wages calculate the benefit as a percentage of high-quarter wages.

Since even the quarter of highest earnings may include some unemployment, some states use a fraction generating a higher weekly benefit (e.g., 1/23). Some states use a weighted schedule, which gives a greater proportion of the high-quarter wages to lower-paid individuals than to those earning more. In these states, the maximum fraction varies from 1/11 to 1/26 while the minimum varies from 1/23 to 1/33.

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**Multi-Quarter Method**—Several states compute the weekly benefit amount as a multiple of the total or average quarterly wages paid in more than one quarter. This approach is viewed as being more likely to reflect an individual’s usual full-time employment pattern since it surveys a greater period of time rather than just focusing on the quarter with highest earnings.

**Annual-Wage Method**—Under this method the weekly benefit is calculated as a percentage of annual wages in the base period. This approach reflects the view that annual wages determine the individual’s standard of living. Most states use a weighted schedule, which gives a larger proportion of annual wages to lower-paid individuals to determine their weekly benefit amount.

**Weekly-Wage Formula**—Under this method the weekly benefit is calculated as a percentage of the individual’s average weekly wages in the base period.

The following table provides information on how states calculate weekly benefit amounts, what the minimum and maximum weekly benefit amounts are in each state, and the wages required to be eligible for the weekly benefit amounts.

TABLE 3-5: WEEKLY BENEFIT AMOUNTS						
State	Method of Calculating and Formula	Rounding to	Weekly Benefit Amount		Minimum Wages Required for Maximum WBA	
			Minimum <sup>1</sup>	Maximum <sup>1</sup>	High quarter	Base period
AL	<b>MQ</b> 1/26 of average wages in 2 high quarters	Higher \$	\$45	\$265	N/A	\$13,754 in 2 quarters
AK	<b>AW</b> 0.9% - 2.2% BP wages + DA (see table in law)	Nearest \$	\$56 - \$128	\$370 - \$442	N/A	\$41,750
AZ	<b>HQ</b> 1/25	Nearest \$	\$126	\$240	\$5,988	\$8,981
AR	<b>HQ</b> 1/26	Lower \$	\$81	\$451	\$11,726	\$15,785
CA	<b>HQ</b> 1/23-1/26 (if HQW < \$1,833, see table in law; otherwise, 1/26 HQW)	Higher \$	\$40	\$450	>\$11,674	>\$11,674
CO	<b>HQ/WW</b> Higher of: (1) 60% of 1/26 of 2 highest consecutive quarters, capped by 50% of average weekly earnings (low formula); or (2) 50% of 1/52 BP earnings, capped by 55% of average weekly earnings (high formula)	Lower \$	\$25	\$484 (low formula)  \$532 (high formula)	\$10,487 (low formula)  Not applicable (high formula)	20,974 in 2 quarters (low formula)  \$55,328 (high formula)
CT	<b>MQ/HQ</b> 1/26 of the average of the 2HQs + DA; for construction workers, 1/26 of HQW + DA	Lower \$	\$15 - \$30	\$594 - \$669	\$15,444 in each of 2 quarters	\$23,760
DE	<b>MQ</b> 1/46 of wages earned in highest 2 quarters	Lower \$	\$20	\$330	N/A	\$15,180 in 2 quarters
DC	<b>HQ</b> 1/26	Lower \$	\$50	\$359	\$9,334	\$14,001
FL	<b>HQ</b> 1/26	Lower \$	\$32	\$275	\$7,150	\$10,725
GA	<b>MQ</b> 1/42 wages in 2 HQs; computed as 1/21 of HQW when alternative qualifying wages are used (Note: If individual would qualify for \$27 - \$44, the claimant’s WBA is \$44.)	Lower \$	\$44	\$330	N/A	\$13,860 in 2 quarters
HI	<b>HQ</b> 1/21	Higher \$	\$5	\$551	\$11,551	\$14,326
ID	<b>HQ</b> 1/26	Lower \$	\$72	\$398	\$10,348	\$12,935
IL	<b>MQ</b> 47% of the claimant’s wages in highest 2 quarters divided by 26 + DA	Higher \$	\$51 - \$77	\$426 - \$580	N/A	\$23,517 in 2 quarters

## MONETARY ENTITLEMENT

**TABLE 3-5: WEEKLY BENEFIT AMOUNTS**

State	Method of Calculating and Formula	Rounding to	Weekly Benefit Amount		Minimum Wages Required for Maximum WBA	
			Minimum <sup>1</sup>	Maximum <sup>1</sup>	High quarter	Base period
IN	<b>WW</b> 47% of AWW	Lower \$	\$37	\$390	N/A	\$43,149
IA	<b>HQ</b> 1/19 (4 or more dependents) - 1/23 (no dependents)	Lower \$	\$62 - \$75	\$416 - \$511	\$9,568	\$11,960
KS	<b>HQ</b> 4.25%	Lower \$	\$118	\$474	\$11,153	\$14,220
KY	<b>AW</b> 1.1923% BPW	Nearest \$	\$39	\$415	N/A	\$34,765
LA <sup>2</sup>	<b>MQ</b> 1/25 of the average wages in 4 quarters of BP x 1.05 x a multiple ranging from 1.03 to 1.32	Lower \$	\$10	\$221 to \$284	N/A	\$22,100 to \$28,400
ME	<b>MQ</b> 1/22 of the average of the 2 HQs + DA (see table in law)	Lower \$	\$67 - \$100	\$386 - \$579	N/A	\$16,984 in 2 quarters
MD	<b>HQ</b> 1/24 + DA (see table in law)	Higher \$	\$50-90	\$430 same with or without DA	>\$10,296	\$15,480
MA	<b>MQ</b> 50% of 1/26 of total wages in 2 HQs up to 57.5% of state AWW	Lower \$	\$33 - \$49	\$698 - \$1,047	N/A	\$36,296 in 2 high quarters
MI	<b>HQ</b> 4.1% + DA	Lower \$	\$117 - \$147	\$362 same with or without DA	\$8,830	\$13,245
MN	<b>HQ/WW</b> The higher of 50% of 1/52 BPW up to 66⅔% of the state AWW, or 50% of 1/13 HQ up to 43% of the state's AWW	Lower \$	\$25	\$412 (based on HQW)  \$640 (based on BPW)	\$10,712 (based on HQW)  Not applicable (based on BPW)	\$10,712 (based on HQW)  \$66,560 (based on BPW)
MS	<b>HQ</b> 1/26	Lower \$	\$30	\$235	\$6,110	\$9,400
MO	<b>MQ</b> 4.0% of the average of the 2 HQs	Lower \$	\$35	\$320	N/A	\$16,000 in 2 quarters
MT	<b>AW/MQ</b> 1.0% of BPW or 1.9% of wages in the 2 HQs	Lower \$	\$134	\$471	N/A	\$24,790 in 2 quarters
NE	<b>WW</b> ½ of AWW, may not exceed ½ of state AWW	Lower even \$	\$70	\$380	\$9,880	\$10,680
NV	<b>HQ</b> 1/25	Lower \$	\$16	\$412	\$10,300	\$15,450
NH	<b>AW</b> 1.0% - 1.1% of BPW (see table in law)	Nearest \$	\$32	\$427	N/A	\$41,500
NJ	<b>WW</b> 60% (base weeks' wages/number of base weeks) + DA	Lower \$	\$99 - \$113	\$646 same with or without DA	N/A	\$21,534 in 20 weeks
NM	<b>WW</b> 53½% of AWW in HQ + DA; wages in 2 quarters of BP	Lower \$	\$77 - \$115	\$412 - \$462	\$11,227	\$11,228
NY	<b>HQ/MQ</b> Wages in 4 quarters - 1/26 HQW or 1/25 if HQW ≤ \$3,575 Wages in 2 or 3 quarters - 1/26 average of the highest 2 quarters, unless the HQW is ≤ \$4,000 but > \$3,575 then 1/26 HQW, and if HQW is ≤ \$3,575 then 1/25 HQW	Lower \$	\$100	\$420	\$10,920	\$16,380
NC	<b>MQ</b> 1/52 of last 2 quarters	Lower \$	\$15	\$350	N/A	\$18,200 In last 2 quarters

## MONETARY ENTITLEMENT

**TABLE 3-5: WEEKLY BENEFIT AMOUNTS**

State	Method of Calculating and Formula	Rounding to	Weekly Benefit Amount		Minimum Wages Required for Maximum WBA	
			Minimum <sup>1</sup>	Maximum <sup>1</sup>	High quarter	Base period
ND	<b>MQ</b> 1/65 of (total wages earned in highest 2 quarters and ½ of total wages in third highest quarter)	Lower \$	\$43	\$594	N/A	38,610 In 2.5 quarters
OH	<b>WW</b> 50% (wages in qualified weeks in BP / number of such weeks) + DA	Lower \$	\$118	\$424 - \$572	N/A	\$16,960 in 20 weeks
OK	<b>HQ</b> 1/23	Lower \$	\$16	\$490	\$11,270	\$16,905
OR	<b>AW</b> 1.25% BP wages	Lower \$	\$128	\$549	N/A	\$43,920
PA	<b>HQ</b> 1/23 - 1/25 + DA (see table in law)	Lower \$	\$70 - \$78	\$573 - \$581	\$14,263	\$28,244
PR	<b>HQ</b> 1/11 - 1/26	Lower \$	\$7	\$133	>\$3,442	\$5,320
RI	<b>MQ</b> 3.85% of average of 2 highest quarter wages + DA	Lower \$	\$46 - \$121	\$566 - \$707	N/A	\$27,278 2 quarters
SC	<b>WW</b> 50% AWW in HQ	Lower \$	\$42	\$326	\$8,476	\$12,714
SD	<b>HQ</b> 1/26	Lower \$	\$28	\$352	\$9,152	\$16,192
TN	<b>MQ</b> 1/26 of average of 2 HQs (see table in law)	Lower \$	\$30	\$275	N/A	>\$14,300 in 2 quarters
TX	<b>HQ</b> 1/25	Nearest \$	\$64	\$465	\$11,613	\$17,187
UT	<b>HQ</b> 1/26 minus \$5	Lower \$	\$26	\$496	\$12,891	\$19,337
VT	<b>MQ</b> Wages in the 2 highest quarters divided by 45	Lower \$	\$73	\$436	N/A	\$19,620 in 2 quarters
VA	<b>MQ</b> 1/50 of 2 HQs (see table in law)	Lower \$	\$60	\$378	N/A	>\$18,900 in 2 quarters
VI	<b>HQ</b> 1/26	Lower \$	\$33	\$477	\$12,402	\$18,603
WA	<b>MQ</b> 3.85% of average of 2 HQs	Lower \$	\$151	\$637	N/A	\$33,091 in 2 quarters
WV	<b>AW</b> 55% of 1/52 of median wages in individual's wage class (see table in law)	Lower \$	\$24	\$424	N/A	\$40,150
WI	<b>HQ</b> 4.0%	Lower \$	\$54	\$370	\$9,250	\$12,950
WY	<b>HQ</b> 4.0%	Lower \$	\$34	\$475	\$11,875	\$16,625

KEY: HQ = High Quarter Formula MQ = Multi-Quarter Formula AW = Annual Wage Formula WW = Average Weekly Wage Formula  
DA = Dependent's Allowances

GENERAL NOTE: Since the high quarter and base period wage requirements for the minimum weekly benefit amount are the same as the wage and employment requirements to qualify for benefits, they are not repeated in this table. (See Table 3-3.) Additionally, in states where the benefit entitlement is calculated using multi-quarter, annual wage, or average weekly wage formulas, the high-quarter cell is shown as N/A as no specific level of wages is required in the high quarter pursuant to state law.

<sup>1</sup> When 2 WBAs are listed, higher figure includes DA. Higher figure for minimum and maximum WBAs includes DA for maximum number of dependents.

<sup>2</sup> Depending upon the procedure in place in a given year, different benefit multipliers are utilized. As a result, the MWBA varies from year to year and similarly the amount of BPWs necessary to receive the MWBA fluctuates.

## MONETARY ENTITLEMENT

### AUTOMATIC ADJUSTMENTS TO WEEKLY BENEFIT AMOUNTS

In those states where UI is intended to replace a specific percent of wages up to a fixed percent of the state's average weekly wage, the calculation of benefit entitlement is determined by the state's average weekly wage. Because wages increase, states recalculate the average weekly wage periodically to update the benefits schedule and continue to replace the desired percentage of an individual's lost wages. The maximum weekly benefit amount is usually more than 50 percent of the average weekly wage in covered employment within the state during a recent 1-year period. In most states, the minimum weekly benefit is an amount specified in the law. However, some states' laws link the minimum weekly benefit amount with the states' average weekly wage as well. The following table includes states with automatic adjustments to benefit amounts.

TABLE 3-6: STATES WITH AUTOMATIC ADJUSTMENTS TO BENEFIT AMOUNTS								
State	Method of Computation					Percentage of State AWW		Effective Date Of New Amounts
	Annually as % of AWW in Covered Employment in:			Semiannually as % of AWW in Covered Employment in:				
	Preceding CY	12 Months Ending March 31	12 Months Ending June 30	12 Months Ending 6 Months Before Effective Date	All Industries In State	Maximum	Minimum	
AR	X					66 $\frac{2}{3}$ % (high formula)	12% (low formula)	July 1
CO					X	55%		July 1
CT			X			60%; based on AWW of production and related workers (may not be increased by more than \$18 in any year)		1 <sup>st</sup> Sunday in October
DC		X				66 $\frac{2}{3}$ %		January 1
HI			X			70%		January 1
ID	X					Percentage varies (52% - 60%) depending upon the base tax rate in a given year		January 1
IL	X					47%; for claimants with dependents, maximum is limited to 65.2% of state's AWW, which is based on percentage changes from year to year		January 1
IA	X					53% for claimants with no dependents; for claimants with dependents, ranges from 55% to 65%		1 <sup>st</sup> Sunday in July
KS	X					60%	25% of max WBA	July 1
KY	X					62%; cannot increase in any year when tax schedule increases from previous year (year-to-year increases limited depending on fund balance)		July 1
LA		X				66 $\frac{2}{3}$ %		September 1
ME	X					52%		June 1
MA		X				57 $\frac{1}{2}$ %		1 <sup>st</sup> Sunday in October

## MONETARY ENTITLEMENT

**TABLE 3-6: STATES WITH AUTOMATIC ADJUSTMENTS TO BENEFIT AMOUNTS**

State	Method of Computation					Percentage of State AWW		Effective Date Of New Amounts
	Annually as % of AWW in Covered Employment in:			Semiannually as % of AWW in Covered Employment in:				
	Preceding CY	12 Months Ending March 31	12 Months Ending June 30	12 Months Ending 6 Months Before Effective Date	All Industries In State	Maximum	Minimum	
MN	X					Higher of 50% of the individual's AWW in the BP to a maximum of 66⅔% of the state AWW; or 50% of the individual's AWW during the HQ to a maximum of 43% of the state AWW		Last Sunday in October
MT	X					67½%	20%	July 1
NV	X					50%		July 1
NJ	X					56⅔%		January 1
NM			X			53 ½%	10%	1 <sup>st</sup> Sunday in January
NC	X					66⅔%		August 1
ND	X					62%; 65% of state AWW if trust fund reserves on Oct. 1 are ≥ the required amount and the state's average contribution rate is < the nationwide average for the preceding year		1 <sup>st</sup> Sunday in July
OH			X			Percentage used is not specified in law		1 <sup>st</sup> Sunday in January
OK	X					The greater of \$197 or 60%, 57.7%, 55%, 52½% or 50% of state AWW of the second preceding CY, depending on the condition of the fund		July 1
OR	X					64%	15%	Week of July 4
PA			X <sup>1</sup>			66⅔%		January 1
PR	X					50%		July 1
RI	X					57.7%		July 1
SC	X					66⅔%		July 1
SD	X					50%		July 1
TX	X					47.6%	7.6%	October 1
UT			X			62½% minus \$5		January 1
VT	X					Percentage not specified by law		1 <sup>st</sup> Sunday in July
VI			X			65%		January 1
WA	X					63%	15%	1 <sup>st</sup> Sunday in July
WV	X					66⅔%		July 1
WI				X		66⅔% of the average wages per average week	15% of maximum rate	January 1 and July 1

## MONETARY ENTITLEMENT

**TABLE 3-6: STATES WITH AUTOMATIC ADJUSTMENTS TO BENEFIT AMOUNTS**

State	Method of Computation					Percentage of State AWW		Effective Date Of New Amounts
	Annually as % of AWW in Covered Employment in:			Semiannually as % of AWW in Covered Employment in:				
	Preceding CY	12 Months Ending March 31	12 Months Ending June 30	12 Months Ending 6 Months Before Effective Date	All Industries In State	Maximum	Minimum	
WY	X					55%	4%	1 <sup>st</sup> Sunday in July

<sup>1</sup> State AWW computed using 36-month period.

## WAITING PERIOD

Individuals who are otherwise eligible for benefits must first serve a waiting period in most states. In most states, the waiting period requirement for weeks of partial unemployment is the same as for weeks of total unemployment. The waiting period is served in or with respect to a particular benefit year. Special provisions may exist for successive benefit years. (When an individual, after intervening employment, has an additional spell of unemployment that continues beyond the end of the first benefit year, the individual may not have to serve another waiting week if he is monetarily eligible for benefits in the second year.)

**TABLE 3-7: STATE INITIAL WAITING PERIODS**

State	Duration (in weeks)*	Becomes Compensable After:	May Be Waived Under These Circumstances
AL	1		
AK	1		
AZ	1		
AR	1		
CA	1 <sup>1</sup>		During a state of war emergency or a state of emergency if compliance with the waiting period requirement would prevent, hinder, or delay the mitigation of the effects of a state of emergency (e.g., natural disaster)
CO	1 <sup>2</sup>		
CT	No waiting period		
DE	1		
DC	1		
FL	1		
GA	No waiting period		
HI	1		
ID	1		
IL	1		
IN	1 <sup>2</sup>		For individuals who become unemployed due to employer terminating business operations within the state, declaring bankruptcy, or initiating a workforce reduction pursuant to the Federal WARN Act

## MONETARY ENTITLEMENT

**TABLE 3-7: STATE INITIAL WAITING PERIODS**

State	Duration (in weeks)*	Becomes Compensable After:	May Be Waived Under These Circumstances
IA	No waiting period		
KS	1		For individuals who become unemployed due to employer terminating business operations within the state, the employer declaring bankruptcy, or a workforce reduction that is subject to the Federal WARN Act
KY	1	The remaining balance on claim is equal to or less than compensable amount for waiting week	
LA	1		
ME	1		
MD	No waiting period		
MA	1		No waivers though authority exists and has been used before
MI	No waiting period		
MN	1		If the individual would have been entitled to DUA but has established benefit account
MS	1		In counties or areas identified for individual assistance, if the President declares a major disaster in accordance with Stafford Act
MO	1	The remaining balance on claim is equal to or less than compensable amount for waiting week	
MT	1		
NE	1		
NV	No waiting period		
NH	1		
NJ	No waiting period		
NM	1		Natural disaster, extended benefit program
NY	1		At the direction of the Governor
NC	1		
ND	1		
OH	1		
OK	1		
OR	1		
PA	1		
PR	1		
RI	1		For individuals who become unemployed due to a natural disaster or state of emergency
SC	1		
SD	1		
TN	1	3 consecutive weeks of compensable unemployment immediately following a waiting period	



## MONETARY ENTITLEMENT

**TABLE 3-7: STATE INITIAL WAITING PERIODS**

State	Duration (in weeks)*	Becomes Compensable After:	May Be Waived Under These Circumstances
TX	1 <sup>2</sup>	Receipt of benefits equaling 3 x WBA	
UT	1		If Department approval for training is granted for the first eligible week of the claim
VT	1		
VA	1		For an individual whose unemployment was caused by his employer terminating operations, closing its business, or declaring bankruptcy without paying the final wages earned as required by Section 40.1-29 of the Code of Virginia  Authorized by the Governor under an executive order
VI	1 <sup>2</sup>		
WA	1		
WV	1		
WI	1		
WY	No waiting period		

\* For total unemployment, partial unemployment, or in consecutive benefit years unless otherwise noted.

<sup>1</sup> One week waiting period is deferred if claimant is in continued claim status from a prior year's claim. The one-week waiting period must be served later in the new benefit year if there is an interruption of UI payments for one or more weeks. Also, the 1-week waiting period credit for the new benefit year may be served in the last week of the prior benefit year if the claim was exhausted prior to the last week of that benefit year.

<sup>2</sup> No waiting period required for new/consecutive benefit year.

## BENEFITS FOR PARTIAL UNEMPLOYMENT

Often, instead of being laid off, individuals may have their hours reduced during an economic downturn. Unemployed individuals may also find short-term work while looking for a permanent, full-time job. These circumstances characterize partial unemployment. The UI system is set up to permit benefit receipt by these individuals as long as they meet all eligibility requirements. However, the weekly benefit amount payable differs.

A week of total unemployment is commonly defined as a week in which the individual performs no work and with respect to which remuneration is not payable. In Puerto Rico, an individual is deemed totally unemployed if earnings from self-employment are less than 1½ times the weekly benefit amount or if no service is performed for a working period of 32 hours or more in a week. In a few states, an individual is considered totally unemployed in a week even though certain small amounts of wages are earned. In most states, an individual is partially unemployed in a week of less than full-time work and earnings of less than the weekly benefit amount. In some states, an individual is partially unemployed in a week of less than full-time work when less than the weekly benefit amount plus an allowance is earned, either from odd-job earnings or from any source as indicated in the following table.

The individual's benefit will generally equal the difference between the weekly benefit amount and earnings. All states disregard some earnings as an incentive to take part-time or short-term work.

When determining monetary entitlement to benefits, the state usually specifies a maximum dollar amount that can be received, usually equal to a specified number of weeks of benefits for total unemployment multiplied by the weekly benefit amount for total unemployment. Consequently, a partially unemployed individual may draw benefits for a greater number of weeks than a totally unemployed individual.

## MONETARY ENTITLEMENT

Most state laws provide that the benefit for a week of partial unemployment will be rounded to the nearest or the lower dollar. For example, in a state with a \$30 earnings disregard and rounding to the nearest dollar, an individual with a \$40 weekly benefit amount and earnings of \$50.95 would receive a partial benefit of \$19.

<b>TABLE 3-8: PARTIAL UNEMPLOYMENT AND EARNINGS DISREGARDED WHEN DETERMINING WEEKLY BENEFIT</b>					
State	Definition of Partial Unemployment - Week of Less Than Full-Time Work if Earnings are Less Than:	Earnings Disregarded in Computing Weekly Benefit for Partial Unemployment	State	Definition of Partial Unemployment - Week of Less Than Full-Time Work if Earnings are Less Than:	Earnings Disregarded in Computing Weekly Benefit for Partial Unemployment
AL	WBA	\$15	AK	$1\frac{1}{3} \times \text{WBA} + \$50$	\$50 and $\frac{1}{4}$ wages over \$50
AZ	WBA	\$30	AR	$\text{WBA} + \frac{2}{5} \text{WBA}$	$\frac{2}{5} \text{WBA}$
CA	WBA	Greater of \$25 or $\frac{1}{4}$ of wages	CO	WBA	$\frac{1}{4} \text{WBA}$
CT	$1\frac{1}{2} + \text{basic WBA}$	$\frac{1}{3}$ wages; includes holiday pay in the remuneration for determining partial benefits	DE	$\text{WBA} + \text{greater of } \$10 \text{ or } \frac{1}{2} \text{WBA}$	Greater of \$10 or $\frac{1}{2} \text{WBA}$
DC	$\text{WBA} + \$20$	$\frac{1}{5}$ wages + \$20	FL	WBA	8 x Federal hourly minimum wage
GA	WBA	\$50; excludes payments for jury service	HI	WBA	\$150
ID	$\text{WBA} + \frac{1}{2} \text{WBA}$	$\frac{1}{2} \text{WBA}$	IL	WBA	$\frac{1}{2} \text{WBA}$
IN	WBA	Greater of \$3 or $\frac{1}{5} \text{WBA}$ from other than base-period employers; excludes payments for jury service	IA	$\text{WBA} + \$15$	$\frac{1}{4} \text{WBA}$ ; excludes payments for jury service
KS	WBA	$\frac{1}{4} \text{WBA}$	KY	$1\frac{1}{4} \times \text{WBA}$	$\frac{1}{5}$ wages
LA	WBA	Lesser of $\frac{1}{2} \text{WBA}$ or \$50	ME	$\text{WBA} + \$5$	\$25; excludes wages received by members of the National Guard and organized labor, including base pay and allowances or any amounts received as a volunteer emergency medical services worker; also excludes earnings received as a result of participating in full-time Trade Act training, up to an amount equal to most recent WBA
MD	Augmented WBA	\$50	MA	WBA	$\frac{1}{3} \text{WBA}$ ; earnings plus WBA may not equal or exceed the individual's AWW

## MONETARY ENTITLEMENT

TABLE 3-8: PARTIAL UNEMPLOYMENT AND EARNINGS DISREGARDED WHEN DETERMINING WEEKLY BENEFIT					
State	Definition of Partial Unemployment - Week of Less Than Full-Time Work if Earnings are Less Than:	Earnings Disregarded in Computing Weekly Benefit for Partial Unemployment	State	Definition of Partial Unemployment - Week of Less Than Full-Time Work if Earnings are Less Than:	Earnings Disregarded in Computing Weekly Benefit for Partial Unemployment
MI	1 3/5 x WBA	For each \$1 earned, WBA reduced by 40 cents (benefits and earnings cannot exceed 1 3/5 WBA); earnings above 1 3/5 WBA result in dollar-for-dollar reduction in WBA; if the resulting WBA is zero, weeks of benefits payable reduced by 1 week. (Excludes wages for on-call or training services as a volunteer firefighter if wages are < \$10,000)	MN	WBA	For each \$1 earned, WBA reduced by 50 cents; no deduction for jury pay and wages earned for services performed in National Guard and military reserve, and as a volunteer firefighter or in ambulance services
MS	WBA	\$40	MO	WBA + \$20 or 1/5 WBA, whichever is greater	\$20 or 1/5 WBA, whichever is greater; excludes termination pay, severance pay, and wages from service in the organized militia for training or authorized duty from benefit computation
MT	2 x WBA	½ wages over ¼ WBA	NE	WBA	¼ WBA
NV	WBA	¼ wages	NH	WBA	3/10 WBA
NJ	WBA + greater of \$5 or 1/5 WBA	Greater of \$5 or 1/5 WBA	NM	WBA	1/5 WBA; excludes payments for jury service
NY	Benefits paid at the rate of ¼ WBA for each effective day within a week beginning on Monday (effective day defined as 4 <sup>th</sup> and each subsequent day of total unemployment in a week in which claimant earns not more than \$300)		NC	Week of less than 3 customary scheduled full-time days	2/10 WBA
ND	WBA	3/5 WBA	OH	WBA	1/5 WBA
OK	WBA + \$100	\$100	OR	WBA	½ WBA; or 10 x state minimum wage in the prior year; excludes wages from service in the organized militia for training or authorized duty from benefit computation
PA	WBA + 2/5 WBA	Greater of \$6 or 30% WBA	PR	1½ x WBA; week in which wages or remuneration from self-employment are less than 1½ times claimant's WBA or the claimant performs no service for a working period of 32 hours or more in a week	WBA
RI <sup>1</sup>	Basic WBA	1/5 WBA	SC	WBA	¼ WBA
SD	WBA	¼ wages over \$25	TN	WBA	Greater of \$50 or ¼ WBA
TX	WBA + greater of \$5 or ¼ WBA	Greater of \$5 or ¼ WBA	UT	WBA	3/10 WBA
VT	WBA + \$15 provided the claimant works less than 35 hours (35 hours is considered full-time employment)	Greater of \$40 or 3/10 WBA	VA	WBA	\$50
VI	1½ x WBA + \$15	¼ wages in excess of \$15	WA	1½ x WBA + \$5; weekly hours of work temporarily reduced by employer by no more than 60%	¼ wages over \$5

## MONETARY ENTITLEMENT

TABLE 3-8: PARTIAL UNEMPLOYMENT AND EARNINGS DISREGARDED WHEN DETERMINING WEEKLY BENEFIT					
State	Definition of Partial Unemployment - Week of Less Than Full-Time Work if Earnings are Less Than:	Earnings Disregarded in Computing Weekly Benefit for Partial Unemployment	State	Definition of Partial Unemployment - Week of Less Than Full-Time Work if Earnings are Less Than:	Earnings Disregarded in Computing Weekly Benefit for Partial Unemployment
WV	WBA + \$61	\$60	WI	Any week the individual receives any wages under \$500 or performs services less than 32 hours; no individual may be eligible for partial benefits if the benefit payment is < \$5	\$30 plus 33% of wages in excess of \$30 (excludes wages received as a volunteer firefighter or voluntary medical technician from benefit computation)
WY	WBA	½ WBA			

<sup>1</sup> Special provision for totally unemployed individuals who have days of employment between the end of the waiting period and the beginning of the first compensable week, and also for those who return to work prior to the end of a compensable week, provided they have been in receipt of benefits for at least 2 successive weeks of total unemployment. For each day of unemployment in such week in which work is ordinarily performed in the individual's occupation, one-fifth of the weekly benefit is paid, up to four-fifths of the weekly rate.

## DEPENDENTS' ALLOWANCES

Although wages earned during the base period are the primary factor in determining the size of the payment a claimant receives each week, some states' laws provide for a dependents' allowance above and beyond the basic benefit amount payable. The definition of dependent, for UI purposes, varies from state to state, as does the allowance granted. In general, a dependent must be wholly or mainly supported by the individual, or living with or receiving regular support from the individual.

**DEFINITION OF DEPENDENT**—All states with dependents' allowances include children under a specified age. The intent is to include all children whom the individual is obligated to support. In most of these states, allowances may be paid on behalf of older children who are unable to work because of physical or mental disability. In some states, children are not the only dependents recognized, that is, spouses, parents, or siblings may also be included in the definition. The following table outlines the states that have dependents' allowances and their definition of a dependent.

TABLE 3-9: DEFINITION OF DEPENDENT							
State	Dependent Child		Nonworking Dependent			Number of Dependents Fixed by BY	Maximum Number of Dependents
	Under 18 Unless Otherwise Noted <sup>1</sup>	Older Child Not Able to Work <sup>1</sup>	Spouse	Parent	Brother or Sister		
AK	Child must be unmarried; must have received more than half the cost of support from individual or be lawfully in the individual's custody at the time the individual claims the allowance <sup>2</sup>	X <sup>2</sup>					3
CT	21 if child is full-time student	X <sup>3</sup>	X				5
IL	X <sup>2</sup>	X <sup>2</sup>	Spouse must be currently ineligible for benefits in the State because of insufficient BPW				1
IA	X <sup>2</sup>	X <sup>2</sup>	No dependency allowance paid for any week in which spouse earns more than \$120 in gross wages	X	X	X	4

## MONETARY ENTITLEMENT

**TABLE 3-9: DEFINITION OF DEPENDENT**

State	Dependent Child		Nonworking Dependent			Number of Dependents Fixed by BY	Maximum Number of Dependents
	Under 18 Unless Otherwise Noted <sup>1</sup>	Older Child Not Able to Work <sup>1</sup>	Spouse	Parent	Brother or Sister		
ME	X <sup>2</sup>	X <sup>2,3</sup>	No dependency allowance paid for any week in which spouse is employed full time and is contributing to support of dependents				X <sup>4</sup>
MD	X <sup>2</sup>	X <sup>2</sup>				X	5
MA <sup>5</sup>	Child must be unmarried and, by interpretation, 24 if child is full-time student <sup>2</sup>	X <sup>2,3</sup>				X	X <sup>4</sup>
MI	Must have received more than half the cost of support from individual for at least 90 consecutive days or for the duration of the parental relationship <sup>2</sup>	X <sup>2,3</sup>	X	X <sup>6</sup>	X <sup>7</sup>	X	5
NJ	19; child must be unmarried; 22 if child is full-time student <sup>2</sup>	X <sup>2,3</sup>	X			X	2 <sup>4</sup>
NM	Child must also be unemancipated; child may be in legal custody of claimant pending adoption; court requires claimant to contribute to child's support and no one else is receiving benefits for that child						2
OH	Must have received more than half the cost of support from individual within 90 days prior to BYB (or duration of parental relationship, if less than 90 days)	X <sup>2</sup>	May not be claimed as dependent if average weekly income is in excess of 25% of the claimant's AWW			X	3
PA		X	X			X	2
RI	X <sup>2</sup>	X <sup>2</sup>				X	5

<sup>1</sup> In all states except MA, includes stepchild by statute.

<sup>2</sup> AK, IL, IA, ME, MD, MI, NJ, OH, and RI - adopted child is included by statute; ~~MA~~ MA - adopted child is included by interpretation, and legal guardians are included by statute.

<sup>3</sup> Full-time student included in CT, ME, MA, MI, and NJ.

<sup>4</sup> The dependent allowance is capped at 50% of the individual's WBA.

<sup>5</sup> Only dependents residing within the U.S. and its Territories and possessions.

<sup>6</sup> Parents over 65 or permanently disabled from gainful employment.

<sup>7</sup> Brother or sister under 18, orphaned, or whose living parents are dependents.

**AMOUNT OF WEEKLY DEPENDENTS' ALLOWANCES**—As with the definition of dependents, there is much variation among states concerning the amount of weekly dependents' allowance payable. However, there are some commonalities. For example, the allowance is ordinarily a fixed sum. In addition, all states have a limit on the total amount of dependents' allowance payable in any week in terms of dollar amount, number of dependents, percentage of basic benefits, of high-quarter wages, or of average weekly wage. This limitation results in reductions, for some individuals, in the actual allowance per dependent or the maximum number of dependents on whose behalf allowances may be paid. In almost all states the number of dependents is fixed for the benefit year when the monetary determination on the claim is made. Likewise, in virtually all states, only one parent may draw allowances if both are receiving benefits simultaneously. Individuals who are eligible for partial benefits may draw dependents' allowances in addition to their basic benefits in most of the states providing for these allowances. They receive the full allowance for a week of partial unemployment.

## MONETARY ENTITLEMENT

Consequently, the allowance for dependents may be greater than the basic benefit for partial unemployment. Alaska and Connecticut permit dependents' allowances to be adjusted during the benefit year if an individual acquires additional dependents.

**TABLE 3-10: AMOUNT OF WEEKLY DEPENDENTS' ALLOWANCES**

State	Weekly Allowance per Dependent	Weekly Dependents' Allowances Capped at:	Maximum Dependents' Allowance for Minimum Weekly Benefit	Maximum Dependents' Allowance for Maximum Weekly Benefit
AK	\$24	\$72	\$72	\$72
CT	\$15	Lesser of WBA or \$75	\$15	\$75
IL <sup>1</sup>		\$26 - \$154	\$26	\$154
IA	\$2 - \$14	Schedule \$2 - \$85	\$12	\$90
ME	\$10	½ WBA	\$33	\$193
MD	\$8	\$40	\$40	same maximum WBA with or without dependents
MA	\$25	½ WBA	\$17	\$314
MI	\$6	\$30	\$30	same maximum WBA with or without dependents
NJ	7% of WBA for 1 <sup>st</sup> dependent and 4% for each of the next 2 dependents		\$13	same maximum WBA with or without dependents
NM	\$25	½ WBA up to \$50	\$38	\$50
OH	\$1 - \$133	Determined by schedule according to the AWW and dependency class	\$0	\$144
PA	\$5; \$3 for one other dependent	\$8	\$8	\$8
RI	\$15	Greater of \$50 or 25% of WBA	\$50	\$141

GENERAL NOTE: Full dependents' allowance (DA) given for weeks of partial benefits in all states with the following exceptions: MD and PA - Not more than 26 DA payments for dependents may be made in any one BY (individuals are partially unemployed if they earn less than the unadjusted WBA).

<sup>1</sup> IL - the amount shown is dependent child allowance; individuals without a child who have a non-working spouse receive a different amount (amounts are determined by applying the applicable dependent allowance rate (see state benefit chart)).

## DURATION OF BENEFITS

When states compute an individual's monetary eligibility for benefits, in addition to calculating the weekly benefit amount, they determine the maximum benefit amount payable. Duration – how long benefits may be collected – is determined by dividing the maximum benefit amount payable by the individual's weekly benefit amount. The maximum weeks of benefits available vary, but are most frequently 26 weeks. A few states' laws establish uniform durations of 26 weeks for all individuals who meet the qualifying wage requirements, whereas the rest of the states have variable durations. Uniform duration states are not necessarily "more generous" than the other states because many of these states have comparatively high minimum wage thresholds to qualify for all but the lowest benefit levels. Similarly, whether directly or indirectly, all uniform duration states require employment in more than one quarter for all – or most – individuals to qualify for benefits.

In variable duration states, duration is derived. First, the state determines the limit on total benefits receivable in a benefit year (the maximum entitlement). In most of these states, an individual's benefits are limited to a fraction or percent of base-period wages if it produces an amount less than the specified multiple (usually 26-30) of the individual's weekly benefit amount. The rest of the variable duration states – states using a weekly wage method – set maximum potential benefits as a fraction of weeks worked during the base period.

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Once the state calculates the maximum entitlement, it divides that amount by the weekly benefit amount to derive the duration. Some states' laws specify both the minimum and maximum duration, in weeks, along with the method of calculating benefit entitlement. Since in all of these states the maximum potential benefit may be used for weeks of total or partial unemployment, individuals can collect benefits longer than their stated duration, until they have exhausted their maximum entitlement.

Depending on the distribution of wages in the base period, individuals with the same total base-period wages can have different durations and different weekly benefit amounts. For example, individuals whose wages are concentrated largely or wholly in the high quarter will have a higher weekly benefit amount but a shorter duration.

In most states with variable duration, individuals at all benefit levels are subject to the same minimum and maximum weeks of duration.

A few states include a limitation on wage credits in computing duration. For example, in Colorado, only wages up to 26 times the current maximum weekly amount per quarter count. This type of provision tends to reduce weeks of benefits for individuals at the higher benefit levels.

This section deals only with the regular UI program. Extensions are addressed in the following chapter.

The following table describes how each state calculates benefit entitlement and the wage credits required to qualify for the maximum duration of the maximum weekly benefit for all states.

<b>TABLE 3-11: MAXIMUM BENEFIT ENTITLEMENT</b>				
<b>State</b>	<b>Formula for Calculating Benefit Entitlement</b>	<b>Maximum Potential Benefits</b>		
		<b>Amounts<sup>1</sup></b>	<b>Wage Credits Required</b>	
			<b>High quarter</b>	<b>Base period</b>
AL	Lesser of 26 x WBA or 1/3 BPW	\$6,890	N/A	\$20,670
AK	Ratio of annual wages to HQW—from less than 1.5 to 3.5 or more	\$9,620 - \$11,492	N/A	\$41,750
AZ	Lesser of 26 x WBA or 1/3 BPW	\$6,240	\$5,988	\$18,720
AR	Lesser of 25 x WBA or 1/3 BPW	\$11,275	\$11,726	\$33,825
CA	Lesser of 26 x WBA or 1/2 BPW	\$11,700	>\$11,674	\$23,400
CO	Lesser of 26 x WBA or 1/3 wage credits in BP	\$12,584 (low formula)	\$10,487 (low formula)	\$37,752 (low formula)
		\$13,832 (high formula)	Not applicable (high formula)	\$55,328 (high formula)
CT	N/A: Uniform duration state	\$15,444 - \$17,394	\$15,444 in each of 2 quarters	\$23,760
DE	Lesser of 26 x WBA or 1/2 BPW	\$8,580	N/A	\$17,160
DC	Lesser of 26 x WBA or 50% BPW	\$9,334	\$9,334	\$18,668
FL	25% BPW up to \$6325	\$6,325	\$7,150	\$25,300
GA	Lesser of 14 - 20 x WBA or 1/4 BPW	\$6,600	N/A	\$26,400
HI	N/A: Uniform duration state	\$14,326	\$11,551	\$14,326
ID	Ratio of BPW to HQW—from 1.25 to 3.5	\$10,348	\$10,348	\$36,218
IL	N/A: Uniform duration state (Claimants are eligible for the lesser of 26 weeks of benefits or their total BP wages)	\$11,076 - \$15,080	N/A	\$23,517 in 2 quarters
IN	Lesser of 26 x WBA or 28% of BP wage credits	\$10,140	N/A	\$43,149

## MONETARY ENTITLEMENT

**TABLE 3-11: MAXIMUM BENEFIT ENTITLEMENT**

State	Formula for Calculating Benefit Entitlement	Maximum Potential Benefits		
		Amounts <sup>1</sup>	Wage Credits Required	
			High quarter	Base period
IA	Lesser of 26 x WBA or ½ BPW; If laid off due to employer going out of business, ½ of wages in BP up to 39 weeks	\$10,816 - \$13,286	\$9,568	\$32,448
KS	Lesser of 26 x WBA or ½ BPW	\$12,324	\$11,153	\$36,972
KY	Lesser of 26 x WBA or ½ BPW	\$10,790	N/A	\$32,370
LA <sup>2</sup>	N/A: Uniform duration state	\$5,746 to \$7,384	N/A	\$22,100 to \$28,400
ME	Lesser of 26 x WBA or ½ BPW	\$10,036 - \$15,054	N/A	\$30,108
MD	N/A: Uniform duration state	\$11,180 same maximum with or without DA	>\$10,296	\$15,480
MA	Lesser of 30 x WBA or 36% BPW (Reduced to 26 x WBA all of the local area unemployment rate ≤ 5.1%)	\$20,940 - \$31,410	N/A	\$58,167
MI	43% BPW	\$7,240 same with or without DA	\$8,830	\$16,838
MN	Lesser of 26 x WBA or ½ BPW	\$10,712 (based on HQW)	\$10,712 (based on HQW)	\$32,136 (based on HQW)
		\$16,640 (based on BPW)	Not applicable (based on BPW)	\$66,560 (based on BPW)
MS	Lesser of 26 x WBA or ½ BPW	\$6,110	\$6,110	\$18,330
MO	Lesser of 20 x WBA or ½ BPW	\$6,400	N/A	\$19,200
MT	Ratio of BPW to HQW—from 1.0 to 3.5 or greater (see schedule in law)	\$13,188	N/A	\$43,383
NE	Lesser of 26 x WBA or ½ BPW	\$9,880	\$9,880	\$29,640
NV	Lesser of 26 x WBA or ½ BPW	\$10,712	\$10,300	\$32,136
NH	N/A: Uniform duration state	\$11,102	N/A	\$41,500
NJ	Lesser of 26 x WBA or total number of weeks worked in BP x WBA	\$16,796 same with or without DA	N/A	\$27,994
NM	Lesser of 26 x WBA or 60% BPW	\$10,712 - \$12,012	\$11,227	\$17,854
NY	N/A: Uniform duration state	\$10,920	\$10,920	\$16,380
NC	(BPW / HQW) x 8½ x WBA	\$7,000	N/A	\$21,000
ND	Ratio of BPW to HQW—from 1.5 to 3.2	\$15,444	N/A	\$82,368
OH	Lesser of 26 x WBA or 20 x WBA+ WBA for each qualifying week in excess of 20 up to a maximum of 26 weeks	\$11,024 - \$14,872	N/A	\$22,048 in 26 weeks
OK	Lesser of 26 x WBA or a variable percentage of the state's AAW for the 2 <sup>nd</sup> preceding year depending upon the conditional factor in place	\$10,600	\$11,270	\$25,480
OR	Lesser of 26 x WBA or ½ BPW	\$14,274	N/A	\$43,920
PA	An individual with at least 18 credit weeks is eligible for 26 weeks (A credit week is one in which claimant earned at least \$116)	\$14,898 - \$15,106	\$14,263	\$28,244
PR	N/A: Uniform duration state	\$3,458	>\$3,442	\$5,320



## MONETARY ENTITLEMENT

**TABLE 3-11: MAXIMUM BENEFIT ENTITLEMENT**

State	Formula for Calculating Benefit Entitlement	Maximum Potential Benefits		
		Amounts <sup>1</sup>	Wage Credits Required	
			High quarter	Base period
RI	Lesser of 26 x WBA or 33% BPW	\$14,716 - \$18,382	N/A	\$44,594
SC	Lesser of 20 x WBA or ½ BPW	\$6,520	\$8,476	\$19,560
SD	Lesser of 26 x WBA or ½ BPW	\$9,152	\$9,152	\$27,456
TN	Lesser of 26 x WBA or ¼ BPW	\$7,150	N/A	\$28,600
TX	Lesser of 26 x WBA or 27% BPW	\$12,090	\$11,613	\$44,778
UT	27% BPW	\$12,896	\$12,891	\$47,763
VT	Lesser of 26 x WBA or 46% BPW	\$11,336	N/A	\$24,644
VA	26 x WBA (see table in law)	\$9,828	N/A	>\$37,800
VI	Lesser of 26 x WBA or ½ BPW	\$12,402	\$12,402	\$37,206
WA	Lesser of 26 x WBA or ½ BPW	\$16,562	N/A	\$49,686
WV	N/A: Uniform duration state	\$11,024	N/A	\$40,150
WI	Lesser of 26 x WBA or 40% BPW	\$9,620	\$9,250	\$24,050
WY	Lesser of 26 x WBA or 30% BPW	\$12,350	\$11,875	\$41,167

GENERAL NOTE: Since the high quarter and base period wage requirements for the minimum duration of the minimum weekly benefit amount are the same as the wage and employment requirements to qualify for benefits, they are not repeated in this table. (See Table 3-3.) Some states will extend duration under certain circumstances; see chapter 4 for additional information. Additionally, in states where the benefit entitlement is calculated using multi-quarter, annual wage, or weekly wage formulas the high quarter cell is shown as N/A as no specific level of wages is required to exist in the high quarter pursuant to state law.

<sup>1</sup>When 2 amounts are given, higher amount includes dependents' allowance.

<sup>2</sup>Depending on the procedure in place in a given year, different benefit multipliers are utilized. As a result, the maximum potential benefit payable varies from year to year and, similarly, the amount of BPWs necessary to receive the maximum potential benefit payable fluctuates.

The following table displays the duration of benefits available in each state. Additionally, the table indicates whether the state has a uniform duration formula or a variable duration formula.

**TABLE 3-12: DURATION OF BENEFITS**

State	Uniform	Variable Duration			
		Weeks Based on Base-Period Wages (BPW)		Weeks based on BPW and Unemployment Rate	
		Minimum	Maximum	Minimum	Maximum
AL		15	26		
AK		16	26		
AZ		13	26		
AR		9	25		
CA		14	26		
CO		13	26		
CT	26				
DE		24	26		
DC		19	26		

## MONETARY ENTITLEMENT

**TABLE 3-12: DURATION OF BENEFITS**

State	Uniform	Variable Duration			
		Weeks Based on Base-Period Wages (BPW)		Weeks based on BPW and Unemployment Rate	
		Minimum	Maximum	Minimum	Maximum
FL				9	12-23
GA				6	14-20
HI	26				
ID		10	26		
IL	26				
IN		8	26		
IA		7	26		
KS				10	16-26
KY		15	26		
LA	26				
ME		15	26		
MD	26				
MA		10	30 <sup>1</sup>		
MI		14	20		
MN		11	26		
MS		13	26		
MO		8	20		
MT		8	28 <sup>2</sup>		
NE		1	26		
NV		12	26		
NH	26				
NJ		1	26		
NM		14	26		
NY	26				
NC				5	12-20
ND		12	26		
OH		20	26		
OK		18	26		
OR		3	26		
PA		18	26		
PR	26				
RI		17	26		
SC		13	20		
SD		15	26		
TN		13	26		

## MONETARY ENTITLEMENT

**TABLE 3-12: DURATION OF BENEFITS**

State	Uniform	Variable Duration			
		Weeks Based on Base-Period Wages (BPW)		Weeks based on BPW and Unemployment Rate	
		Minimum	Maximum	Minimum	Maximum
TX		10	26		
UT		10	26		
VT		21	26		
VA		12	26		
VI		13	26		
WA		1	26		
WV	26				
WI		14 <sup>2</sup>	26 <sup>3</sup>		
WY		11	26		

<sup>1</sup> Maximum number of weeks is capped at 26 during periods of extended unemployment.

<sup>2</sup> To qualify for 28 weeks, individual's ratio of total base-period wages to HQ wages must be at least 3.5.

<sup>3</sup> With some limited exceptions, individuals with significant ownership interest in family partnerships, LLCs, and corporations, and certain members of their families, are limited to 4 weeks of regular UI benefits.

## SEASONAL EMPLOYMENT AND BENEFITS

Special provisions are found in several states' laws restricting the payment of benefits to individuals who earned some or a substantial part of their base-period wages for employers whose operations take place only during certain seasons of the year.

In these provisions, the term seasonal is defined either in the statute or in the rules or regulations implementing the statute in terms of the:

- industry, employer, or occupation involved;
- wages earned during the operating period of the employer or industry; and
- individual.

In most states, the designation of seasonal industries, occupations, or employers and the beginning and ending dates of their seasons is made in accordance with a formal procedure, following action initiated by the UI agency or upon application by the employers or individuals involving hearings and presentation of supporting data. Arkansas law provides that any employer classified as a seasonal employer may request not to be treated as a seasonal employer.

In other states, a seasonal pursuit, industry, or employer is defined as one in which, because of climatic conditions or the seasonal nature of the employment, it is customary to operate only during a regularly recurring period or periods of less than a specified number of weeks: 16 weeks in Massachusetts; 26 weeks in Colorado; 26 weeks in Indiana; 26 weeks in Maine (except for seasonal lodging facilities, variety stores, or trading posts, restaurants, and camps, where a period of less than 26 weeks applies); 26 weeks in Michigan; 40 weeks in Ohio; and 36 weeks in North Carolina.

In general, restrictions on the payment of benefits to individuals employed during the operating periods of these seasonal industries fall into one of two groups.

The most frequent restriction provides that wage credits earned in seasonal employment are available

## MONETARY ENTITLEMENT

for payment of benefits only for weeks of unemployment in the benefit year that fall within the operating period of the employer or industry where they were earned. Wage credits earned in non-seasonal work or in employment with a seasonal employer outside the operating period are available for payment of benefits at any time in the benefit year. The states with this type of provision are listed in the following table, together with the definitions of “seasonal worker” to whom the restrictions apply.

TABLE 3-13: SEASONAL WAGE CREDITS AVAILABLE ONLY DURING SEASON					
AR	Off-season wages of (a) less than 30 times the weekly benefit amount, if individual’s seasonal wages were earned in an industry with an operating period of 2-6 months; or (b) less than 24 times the weekly benefit amount, if seasonal wages were earned in an industry with an operating period of 7-8 months	AZ	For employment in transient lodging only; no benefits based on seasonal wages during the off-season if unemployment is due to substantial slowdown in operations	CO	Some seasonal wages in operating period of seasonal industry
IN	Some seasonal wages in operating period of seasonal employer	ME	Some seasonal wages in operating period of seasonal employer	MA	Some seasonal wages in operating period of seasonal industry
MI	Wages must be within seasonal period of 26 weeks or less; designation of employment as seasonal is voluntary	MS	Off-season wages of (a) less than 30 times the weekly benefit amount, if individual’s seasonal wages were earned in a cotton ginning industry or professional baseball with an operating period of 6-26 weeks; or (b) less than 24 times the weekly benefit amount, if seasonal wages were earned in a cotton ginning industry or professional baseball with an operating period of 27-36 weeks	NC	25% or more of base-period wages earned in operating period of seasonal employer
OH	Some seasonal wages earned in operating period of seasonal employer	PA	Seasonal wages for less than 180 days of work in operating period; applies only if reasonable assurance of reemployment exists	SD	Some wages earned in operating period of seasonal employer
TN	Wages must be within seasonal period of 36 weeks or less				

Other states have established differing seasonal provisions, which are listed in the following table.

TABLE 3-14: OTHER SEASONAL PROVISIONS	
DE	Individual with 75% or more of base-period earnings in seasonal employment – defined as the processing of agricultural or seafood products – will be eligible only if the individual had been employed in the corresponding month of the base period
WV	Individual working less than 100 days in seasonal employment is not eligible unless the individual has non-seasonal employment earnings of at least \$100
WI	Individual working less than 90 days for a seasonal employer is not eligible unless the individual is paid wages of \$500 or more by at least one other employer

## DEDUCTIONS AND WITHHOLDING FROM BENEFITS

Under Federal law, benefits must be paid to an individual as a matter of right and may not be intercepted to satisfy debts or other obligations. However, Federal law provides some exceptions to this requirement discussed in the following text.

**OVERPAYMENTS**—All states reduce benefits otherwise payable to recover earlier UI overpayments. See Chapter 6 for more information on this topic.

**CHILD SUPPORT**—Federal law requires states to deduct child support obligations from benefits only when the obligations are enforced by the state child support agency.

## MONETARY ENTITLEMENT

**OVERISSUANCES OF FOOD STAMPS**—If the individual owes an uncollected overissuance of food stamps, a state’s UI agency may deduct such amount from benefits payable. The following table indicates which state laws provide for these deductions. However, not all of these states necessarily make these deductions; it depends on whether the state UI and food stamp agencies have entered into agreements.

TABLE 3-15: STATES WITH AUTHORITY TO DEDUCT FOOD STAMP OVERISSUANCES				
Alabama	Arizona	Arkansas	Colorado	Delaware
Georgia	Hawaii	Illinois	Iowa	Kansas
Louisiana	Maine	Massachusetts	Missouri	Montana
Nebraska	New Hampshire	New Jersey	New Mexico	New York
Oklahoma	South Dakota	Tennessee	Texas	Utah
Vermont	Virgin Islands	Virginia	Wyoming	

**INCOME TAX**—Federal law requires states to offer individuals the opportunity to voluntarily have Federal income tax withheld from benefits at the rate of 10 percent. Federal law also permits states to withhold state and local income tax from benefits. The following table indicates which states offer individuals the opportunity to have state (and/or local) income taxes withheld.

TABLE 3-16: WITHHOLDING STATE AND LOCAL INCOME TAX AT CLAIMANT OPTION														
State	State	Local	State	State	Local	State	State	Local	State	State	Local	State	State	Local
AZ	X		CO	X		CT	X	X	DE	X	X	DC	X	X
GA	X		HI	X	X <sup>1</sup>	ID	X		IL	X		IA	X	
KS	X	X	KY	X		ME	X	X	MD	X		MA	X	
MI	X <sup>2</sup>		MN	X		MS	X	X	NE	X		NH	X	X
NM	X	X	NY	X	X	NC	X		ND	X		OK	X <sup>2</sup>	
OR	X		RI	X		SC	X		TN	X		UT	X	
VT	X <sup>2</sup>		WV	X		WI	X							

GENERAL NOTE: AK, FL, NV, NH, SD, TX, TN, WA, and WY have no state income tax.

<sup>1</sup> Local income taxes deducted and withheld from the individual’s UI for other states and localities.  
<sup>2</sup> If Federal taxes are elected to be withheld from benefits, then state taxes will be withheld as well.

**HEALTHCARE COVERAGE**—Illinois and Oklahoma authorize the deduction of health insurance premiums from the UI weekly benefit amount if the individual so elects, provided that the state has an approved health care plan for unemployed individuals. However, neither state has implemented this authority. Massachusetts has a health insurance program for unemployed individuals; however, it is unrelated to the UI program.