

## **CHAPTER 3**

### **MONETARY ENTITLEMENT**

#### **IN GENERAL**

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

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

- wages and employment needed in a “base-period” to establish a “benefit year”
- amount payable for a week of unemployment, referred to as the “weekly benefit amount” or WBA;
- waiting periods;
- benefit amounts for a week of partial unemployment;
- dependents’ allowances;
- the maximum benefit entitlement and duration an individual may receive in a benefit year; and
- other considerations, such as seasonal employment and deductions and withholding from benefits.

The law of the state under which the individual claims benefits applies in determining an individual’s monetary entitlement for UC. 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 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 each of the monetary factors separately (*e.g.*, qualifying wages, calculation of the WBA), the relationship among these factors is complex. In comparing state laws, consideration often needs to be given to these relationships.

#### **BASE-PERIOD AND BENEFIT YEAR**

An individual’s benefit rights are determined using wages and employment during a look-back period of time called the “base-period.” Once a claim is established, benefits are payable during a period of time called the “benefit year.” Individuals who exhaust their benefits before the end of a benefit year must wait until the current benefit year ends before they can file a new claim.

## MONETARY ENTITLEMENT

**BENEFIT YEARS**—The benefit year is a 1-year or 52-week period during which an individual may receive benefits based on wages earned during their base-period. 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 look-back 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 four of the last five 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.

Base-period employment is considered a proxy for an individual’s attachment to the labor market. Because it is an imperfect measure, 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 four of the last five completed calendar quarters results in a lag of up to six 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 four of the last five completed calendar quarters, the state will use wages and employment in the last four 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/OR EXTENDED BASE-PERIODS			
State	ABP/EBP	State	ABP/EBP
AK	ABP: Last 4 completed quarters	AR	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		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
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

## MONETARY ENTITLEMENT

TABLE 3-2: STATES WITH ALTERNATIVE AND/OR EXTENDED BASE-PERIODS			
State	ABP/EBP	State	ABP/EBP
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	IL	APB: 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		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	ABP: Last 4 completed quarters	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
	EBP: Last 4 completed quarters preceding the date of qualifying injury		
ME	ABP: Last 4 completed quarters	MD	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		
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	MI	ABP: Last 4 completed quarters if individual fails to meet qualifying wage requirements
	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		
MN	ABP: First 4 of last 5 completed quarters <sup>1</sup>	MT	ABP: Last 4 completed quarters
	EBP: Up to 4 quarters depending on length of time an individual received compensation for temporary disability under a workers' compensation law		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

## MONETARY ENTITLEMENT

TABLE 3-2: STATES WITH ALTERNATIVE AND/OR EXTENDED BASE-PERIODS			
State	ABP/EBP	State	ABP/EBP
NC	ABP: Last 4 completed quarters	OH	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		
OK	ABP: Last 4 completed quarters	OR	ABP: Last 4 completed quarters
	EBP: 4 quarters prior to regular BP		EBP: BP extended up to 4 quarters if the individual is disabled for the majority of a quarter; if the individual received workers' 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	SC	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 BP determined as of the date of the work-related injury		
SD	ABP: Last 4 completed quarters	TN	EBP: Individual who received temporary total disability payments under workers' compensation law may use a BP of the last 4 completed quarters preceding the disability if a claim is filed within 24 months of the date the disability occurred
	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	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.

## MONETARY ENTITLEMENT 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. As described below, the methods that states use to determine monetary eligibility vary greatly.

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 monetary eligibility, or could qualify for a higher weekly benefit amount if wages from multiple states are considered. 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 the other state(s) in which they had employment and wages to establish eligibility or to increase their weekly benefit amount. If the individual has earned wages in multiple states, the individual may choose in which state to file the claim. 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 cannot be used again to establish monetary eligibility.

### METHODS OF QUALIFYING

**Multiple of High-Quarter Wages**—Under this method, individuals must (1) earn a certain dollar amount in the quarter of their base-period with the highest earnings and (2) 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.

**Multiple of Weekly Benefit Amount**—Under this method, the state agency first computes the individual’s weekly benefit amount. The individual must earn 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 and the state requires earnings equal to 40 times the weekly benefit amount, the individual will need base-period earnings of \$4,000 to qualify. 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**—Under this method, individuals must earn a certain dollar amount of total wages during the base-period.

**Weeks/Hours of Employment**—Under this method, individuals must work a certain number of weeks or hours at a certain wage rate.

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 as of January 1, 2020. The amounts displayed assume level wage earnings throughout the claimant’s base-period.

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	N/A	>\$2,314 in 2 HQs
AK	\$2,500 flat amount and wages in 2 quarters of BP, at least \$250 outside HQ	N/A	\$2,500

## MONETARY ENTITLEMENT

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
AZ	1½ x HQW in BP and 390 x minimum wage in effect (\$4,680) in one quarter Alternative: Wages in 2 quarters of BP, with wages in 1 quarter sufficient to qualify for the maximum WBA, and total BPW ≥ the taxable wage base (\$7,000)	\$4,680	\$7,020
AR	35 x WBA in BP and wages in 2 quarters of BP	N/A	\$2,835
CA	\$1,300 in HQ Alternative: \$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	N/A	\$600
DE	36 x WBA in BP Alternative: If (36 x WBA) - BPW ≤ \$180, eligible for reduced WBA	N/A	\$720
DC	1½ x HQW in BP or within \$70 of meeting the 1½ HQW requirement, \$1,950 in 2 quarters, and \$1,300 in 1 quarter	\$1,300	\$1,950 in 2 HQs
FL	1½ x HQW in BP; minimum of \$3,400 in BP	N/A	\$3,400
GA	Wages in 2 quarters and 150% x HQW Alternative: HQW divided by 21 for WBA w/ total earnings in 2 quarters totaling at least 40 x WBA	\$1,155	\$2,200 in 2 HQs
HI	26 x WBA in BP and wages in 2 quarters	N/A	\$130
ID	1¼ x HQW in BP and \$1,872 in one quarter	\$1,872	\$2,340
IL	\$1,600 flat amount with \$440 outside HQ	N/A	\$1,600
IN	1½ x HQW totaling at least \$2,500 in last 2 quarters; not less than \$4,200	N/A	\$4,200
IA	1¼ x HQW in BP, 3.5% of the statewide AAW in HQ, and ½ HQW in quarter that is not the HQ	\$1,660	\$2,490
KS	30 x WBA in BP and wages in 2 quarters	\$2,861	\$3,660
KY	1½ x HQW in BP, 8 x WBA in last 2 quarters of BP, \$1,500 in a quarter	N/A	\$3,230
LA	\$1,200 in total BPW, wages in at least two quarters, 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	\$1,779 in each of 2 Qtrs	\$5,336
MD	1½ x HQW in BP, \$1,176 in HQ, and \$1,800 BP Alternative: eligibility for a lower WBA can be established if BP wages meet a specified amount on the wage schedule	>\$1,176	\$1,800
MA	30 x WBA in BP and \$5,100 minimum in BP	N/A	\$5,100
MI	1½ x HQW in BP, wages in at least 2 quarters, and at least \$3,667 in HQ Alternative: BPW equal to 20 times the state AWW and wages in 2 quarters	\$3,667	\$5,500
MN	5.3 percent of state AAW rounded to the lower \$100	N/A	\$3,000

## MONETARY ENTITLEMENT

**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
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 Alternative: 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 Alternative: total BPW ≥ 50% of AAW	\$1,988	\$2,982
NE	\$4,324 in BP, \$1,850 in HQ, \$800 in another quarter	\$1,850	\$4,324
NV	1½ x HQW in BP and \$400 in HQ Alternative: 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 weeks employment at 20 x State hourly minimum wage Alternative: 1,000 times the state minimum hourly wage (total of \$8,500)	N/A	\$3,440
NM	\$2,089.72 in BP and wages in 2 quarters	N/A	\$2,089.72
NY	1½ x HQW in BP; H2QW equal to 221 x state minimum wage, rounded to the next lower \$100 increment	\$2,600	\$3,900
NC	6 x AWW in BP and wages in last 2 quarters of BP	N/A	\$780 in last 2 Qtrs
ND	1½ x HQW in BP and wages in 2 ½ quarters	N/A	\$2,795 in 2½ Qtrs
OH	20 weeks employment with wages averaging at least 27.5% of the state AWW in BP and wages in 2 quarters	N/A	\$5,220
OK	\$1,500 minimum and 1½ x HQW in BP Alternative: \$18,700 in BP (100% state taxable wage base)	N/A	\$1,500
OR	\$1,000 minimum and 1½ x HQW in BP Alternative: 500 hours of employment in BP	\$667	\$1,000
PA	\$1,688 in HQ, minimum \$2,718 in BP, at least 37% BPW outside of HQ, and 18 credit weeks in BP	\$1,688	\$2,718
PR	40 x WBA in BP and wages in 2 quarters Alternative: 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	\$363	\$1,320
RI	1½ x HQW in BP and 200 x minimum hourly wage in 1 quarter and at least 400 x the minimum hourly wage in BP Alternative: \$1,200 x minimum hourly wage in BP	\$2,100	\$4,200
SC	1½ x HQW in BP and \$4,455 BPW and \$1,092 HQW	\$1,092	\$4,455
SD	\$728 in HQ and 20 x WBA outside HQ	\$728	\$1,288
TN	40 x WBA, \$780.01 average wages in highest 2 quarters in BP, and wages outside of HQ are lesser of 6 x WBA or \$900	Avg \$780 in highest 2 qtrs	>\$1,560 in 2 HQs
TX	37 x WBA in BP and wages in 2 quarters	N/A	\$2,553
UT	\$3,900 minimum and 1½ x HQW in BP (BPW must be 8% of state average fiscal year wages in BP, rounded to the higher \$100)	\$2,600	\$3,900
VT	1.4 x HQW in BP and \$2,871 in HQ (HQW will be adjusted by a percentage increase equal to the percentage increase in the state minimum wage for the prior year)	\$2,871	\$4,019
VA	\$3,000 in 2 highest quarters of BP	N/A	\$3,000 in 2 HQs

## MONETARY ENTITLEMENT

<b>TABLE 3-3: BASE-PERIOD WAGE AND EMPLOYMENT REQUIREMENTS FOR BENEFITS</b>			
State	Qualifying Formula: Wages or Employment	Minimum Wages Needed to Qualify:	
		High- Quarter	Base-Period
VI	1½ x HQW in BP and \$858 in HQ Alternative: \$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	N/A	N/A
WV	\$2,200 flat amount and wages in 2 quarters	N/A	\$2,200
WI	35 x WBA in BP, \$1,350 in HQ, and 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)	\$800	\$3,350

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 state laws may result in up to a six-month lag between the end of the base-period and the establishment of a benefit year, an individual could conceivably use these lag-period wages and employment to qualify for a second benefit year (after benefits are exhausted and the first benefit year has ended).

Federal law requires that an individual must have worked since the beginning of one year in order to qualify for compensation in the next benefit year. In many states, the amount an individual must earn is a multiple of the weekly benefit amount. A few states require an individual to earn wages after the establishment of the original benefit year that are sufficient meet the minimum qualifying requirement.

<b>TABLE 3-4: WAGES NEEDED TO ESTABLISH NEW BENEFIT YEAR (AMOUNT TIMES WBA UNLESS INDICATED)</b>							
State	Subsequent to Beginning of Preceding Benefit Year	Subsequent to Date of Last Valid Claim	Wages Must Be in Insured Work	State	Subsequent to Beginning of Preceding Benefit Year	Subsequent to Date of Last Valid Claim	Wages Must Be in Insured Work
AL	8		X	AK	8		
AZ	8			AR	10		X
CA		Equivalent qualifying wages as in preceding BY		CO	\$2,000		
CT	5 x WBA or \$300, whichever is greater		X	DE		10	X
DC	10			FL	3		
GA	10		X	HI	5		X
ID	6 x WBA; wages must be in bona fide work			IL	3		
IN	8		X	IA	8		X
KS	8		X	KY	5		



## MONETARY ENTITLEMENT

**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	Wages Must Be in Insured Work	State	Subsequent to Beginning of Preceding Benefit Year	Subsequent to Date of Last Valid Claim	Wages Must Be in Insured Work
LA	6 x WBA; or 3/13th of HQW, whichever is less		X	ME	8		X
MD	10		X	MA	3		
MI	5			MN	5.3% AAW		X
MS	8		X	MO		5 x WBA; 10 x WBA in non-covered work	X
MT	6 x WBA; 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 x WBA in 1 CQ; but not < \$50		X
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 (WBA)

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 and so an

## MONETARY ENTITLEMENT

individual's weekly benefit amount will depend on the individual's prior work history. Some states replace approximately 50 percent of individuals' lost wages up to a certain limit (generally some percentage of the average weekly wage in the state). Because of this cap, 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 weekly. A week of unemployment is generally considered to be Sunday through Saturday.

## 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 (HQ)**—Slightly more than half of the states determine the weekly benefit amount by using the quarter in the base-period with the highest earnings. This quarter is viewed as the period most closely reflecting total employment for the individual during the base-period. By dividing this amount by 13 (the number of weeks in a calendar quarter) the average weekly wage is calculated. Based on the state's wage replacement rate, the weekly wage is then 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  $\frac{1}{2}$  of the average weekly earnings, the weekly benefit amount is \$100. To simplify the calculations, states will use the "overall" multiple of the high-quarter wages to calculate the weekly benefit amount. In this example, it would be  $\frac{1}{26}$  of the high-quarter ( $\frac{1}{13}$  times  $\frac{1}{2}$ ). The most common multiple used by states is  $\frac{1}{26}$  of the high-quarter. Other states that use this method calculate the benefit as a percentage of high-quarter wages.

Since even the quarter of highest earnings may include some periods of unemployment, some states use a fraction generating a higher weekly benefit (*e.g.*,  $\frac{1}{23}$ ). 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.

**Multi-Quarter Method (MQ)**—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 employment pattern since it surveys a greater period of time rather than just focusing on the quarter with highest earnings.

**Annual-Wage Method (AW)**—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. Some states using this method utilize a weighted schedule, which gives a larger proportion of annual wages to lower-paid individuals to determine their weekly benefit amount, other states use a flat percentage.

**Weekly-Wage Method (WW)**—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, and the wages required to be eligible for the maximum weekly benefit amount in that respective state. Such calculations assume consistent wage earnings throughout the claimant's base-period.

## 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
AL	<b>MQ</b> 1/26 of average wages in 2 high-quarters	Higher \$	\$45	\$275	N/A	\$14,274 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	\$42,000
AZ	<b>HQ</b> 1/25 HQW	Nearest \$	\$187	\$240	\$5,988	\$8,982
AR	<b>MQ</b> 1/26 of average wages in 4 quarters	Lower \$	\$81	\$451	N/A	\$46,904
CA	<b>HQ</b> 1/23-1/26 HQW (if HQW <\$1,833, see table in law; otherwise, 1/26 HQW)	Higher \$	\$40	\$450	>\$11,674	\$11,675
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	\$561 (low formula)	\$11,744 (low formula)	\$24,310 in 2 quarters (low formula)
				\$618 (high formula)	N/A (high formula)	\$64,272 (high formula)
CT	<b>MQ/HQ</b> 1/26 of the average of the 2 HQs + DA; for construction workers, 1/26 of HQW + DA	Lower \$	\$15 - \$30	\$649 - \$724	\$16,874 in each of 2 quarters	\$33,748 in 2 quarters
DE	<b>MQ</b> 1/46 of wages earned in highest 2 quarters	Lower \$	\$20	\$400	N/A	\$18,400 in 2 quarters
DC	<b>HQ</b> 1/26 HQW	Lower \$	\$50	\$444	\$11,544	\$17,316
FL	<b>HQ</b> 1/26 HQW	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 - \$55, the claimant's WBA is \$55.)	Lower \$	\$55	\$365	N/A	\$15,330 in 2 quarters
HI	<b>HQ</b> 1/21 HQW	Higher \$	\$5	\$648	\$13,608	\$16,848
ID	<b>HQ</b> 1/26 HQW	Lower \$	\$72	\$448	\$11,648	\$14,560
IL	<b>MQ</b> 47% of the claimant's wages in highest 2 quarters divided by 26 + DA	Higher \$	\$51 - \$77	\$484 - \$667	N/A	\$26,741 in 2 quarters
IN	<b>WW</b> 47% of AWW	Lower \$	\$37	\$390	N/A	\$43,149
IA	<b>HQ</b> 1/19 HQW (4 or more dependents) - 1/23 HQW (no dependents)	Lower \$	\$72 - \$87	\$481 - \$591	\$11,063	\$13,829

## 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
KS	<b>HQ</b> 4.25% HQW	Lower \$	\$122	\$488	\$11,483	\$14,640
KY	<b>AW</b> 1.1923% BPW	Nearest \$	\$39	\$552	N/A	\$46,256
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 \$	\$77 - \$115	\$445 - \$667	N/A	\$19,580 in 2 quarters
MD	<b>HQ</b> 1/24 HQW + 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 \$	\$98 - \$147	\$823 - \$1,234	N/A	\$42,796 in 2 high-quarters
MI	<b>HQ</b> 4.1% HQW + DA	Lower \$	\$150 - \$180	\$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 \$	\$28	\$462 (based on HQW)	\$12,012 (based on HQW)	\$12,012 (based on HQW)
				\$740 (based on BPW)	N/A (based on BPW)	\$76,960 (based on BPW)
MS	<b>HQ</b> 1/26 HQW	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 \$	\$163	\$552	N/A	\$29,053 in 2 quarters
NE	<b>WW</b> ½ of AWW, may not exceed ½ of state AWW	Lower even \$	\$70	\$440	\$11,440	\$12,240
NV	<b>HQ</b> 1/25 HQW	Lower \$	\$16	\$469	\$11,725	\$17,588
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 \$	\$120 - \$138	\$713 same with or without DA	N/A	\$23,767 in 20 weeks
NM	<b>WW</b> 53½% of AWW in HQ + DA; wages in 2 quarters of BP	Lower \$	\$86 - \$129	\$461 - \$511	\$11,202	\$11,203

## 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
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 \$	\$104	\$504	\$13,104	\$19,656
NC	<b>MQ</b> 1/52 of last 2 quarters	Lower \$	\$15	\$350	N/A	\$18,200 in last 2 quarters
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	\$618	N/A	\$40,170 In 2.5 quarters
OH	<b>WW</b> 50% (wages in qualified weeks in BP / number of such weeks) + DA	Lower \$	\$130	\$443 - \$598	N/A	\$17,720 in 20 weeks
OK	<b>HQ</b> 1/23 HQW	Lower \$	\$16	\$539	\$12,397	\$18,596
OR	<b>AW</b> 1.25% BP wages	Lower \$	\$151	\$648	N/A	\$51,840
PA	<b>HQ</b> (4% HQW + 2) x 0.98 + DA (see table in law)	Lower \$	\$68 - \$76	\$561 - \$569	\$14,263	\$22,641
PR	<b>HQ</b> 1/11 - 1/26 HQW	Lower \$	\$33	\$190	\$3,458	\$7,600
RI	<b>MQ</b> 3.85% of average of 2 highest quarter wages + DA	Lower \$	\$53 - \$103	\$586 - \$732	N/A	\$30,442 2 quarters
SC	<b>WW</b> 50% AWW in HQ	Lower \$	\$42	\$326	\$8,476	\$12,714
SD	<b>HQ</b> 1/26 HQW	Lower \$	\$28	\$414	\$10,764	\$19,044
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 HQW	Nearest \$	\$69	\$521	\$13,013	\$19,259
UT	<b>HQ</b> 1/26 HQW minus \$5	Lower \$	\$32	\$580	\$15,210	\$22,815
VT	<b>MQ</b> Wages in the 2 highest quarters divided by 45	Lower \$	\$72	\$513	N/A	\$23,085 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 HQW	Lower \$	\$33	\$602	\$15,652	\$23,478
WA	<b>MQ</b> 3.85% of average of 2 HQs	Lower \$	\$188	\$790	N/A	\$41,039 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

## 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
WI	<b>HQ</b> 4.0% HQW	Lower \$	\$54	\$370	\$9,250	\$12,950
WY	<b>HQ</b> 4.0% HQW	Lower \$	\$36	\$508	\$12,700	\$17,780

KEY: HQ = High-Quarter Formula    HQW = High-Quarter Wage    MQ = Multi-Quarter Formula    AW = Annual Wage Formula  
 WW = Average Weekly Wage Formula    DA = Dependents' 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, Base Period Wage and Employment Requirements for Benefits.) 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 maximum weekly benefit amount varies from year to year and similarly the amount of BPWs necessary to receive the maximum weekly benefit amount fluctuates. See the most recent Significant Provisions of State UI Laws for a point-in-time reference (<https://oui.doleta.gov/unemploy/statelaws.asp#RecentSigProLaws>)

### AUTOMATIC ADJUSTMENTS TO WEEKLY BENEFIT AMOUNTS

Many state laws link the maximum weekly benefit amount with the state's average weekly wage, providing for an automatic adjustment as wages change across time. The maximum weekly benefit amount is usually indexed to be 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 state-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 ADJUSTMENT TO BENEFIT AMOUNTS**

State	Method of Computation					Establishing the State's Maximum and Minimum WBA as a 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:		Maximum	Minimum	
	Preceding CY	12 Months Ending March 31	12 Months Ending June 30	12 Months Ending 6 Months Before Effective Date	All Industries In State			
AR	X					66⅔% (high formula)	12% (low formula)	July 1
CO					X	55%		July 1
CT			X			50%		1 <sup>st</sup> Sunday in October
DC		X				66⅔%		January 1
HI			X			70%		January 1

## MONETARY ENTITLEMENT

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

State	Method of Computation					Establishing the State's Maximum and Minimum WBA as a 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:		Maximum	Minimum	
	Preceding CY	12 Months Ending March 31	12 Months Ending June 30	12 Months Ending 6 Months Before Effective Date	All Industries In State			
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
MN	X					Higher of 50% of the individual's AWW in the BP to a maximum of 66 $\frac{2}{3}$ % 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					67 $\frac{1}{2}$ %	20%	July 1
NE	X					50% of the individual's AWW during the HQ to a maximum of 50% of state AWW		January 1
NV	X					50%		July 1
NJ	X					56 $\frac{2}{3}$ %		January 1
NM			X			53 $\frac{1}{2}$ %	10%	1 <sup>st</sup> Sunday in January
NC	X					66 $\frac{2}{3}$ %		August 1

## MONETARY ENTITLEMENT

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

State	Method of Computation					Establishing the State's Maximum and Minimum WBA as a 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:		Maximum	Minimum	
	Preceding CY	12 Months Ending March 31	12 Months Ending June 30	12 Months Ending 6 Months Before Effective Date	All Industries In State			
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		January 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
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, depending on state law, have to serve another waiting week if monetarily eligible for benefits in the second year.



## MONETARY ENTITLEMENT

The following table provides information about initial waiting periods, by state.

<b>TABLE 3-7: STATE INITIAL WAITING PERIODS (as of January 1, 2020)</b>			
State	Duration (in weeks) <sup>1</sup>	Becomes Compensable After:	May Be Waived Under These Circumstances
AL	1		
AK	1		
AZ	1		
AR	1		
CA	1 <sup>2</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 ( <i>e.g.</i> , natural disaster)
CO	1		
CT	No waiting period		
DE	1		
DC	1		
FL	1		
GA	No waiting period		
HI	1		
ID	1		
IL	1		
IN	1 <sup>3</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
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	

## MONETARY ENTITLEMENT

**TABLE 3-7: STATE INITIAL WAITING PERIODS (as of January 1, 2020)**

State	Duration (in weeks) <sup>1</sup>	Becomes Compensable After:	May Be Waived Under These Circumstances
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		During a state of emergency declared by the Governor
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	
TX	1 <sup>3</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 the employer terminating operations, closing its business, or declaring bankruptcy without paying the final wages earned; authorized by the Governor under an executive order
VI	1 <sup>3</sup>		
WA	1		
WV	1		
WI	1		
WY	No waiting period		

<sup>1</sup> For total unemployment, partial unemployment, or in consecutive benefit years unless otherwise noted.

<sup>2</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>3</sup> No waiting period required for new/consecutive benefit year.

## MONETARY ENTITLEMENT BENEFITS FOR PARTIAL UNEMPLOYMENT

A week of total unemployment is commonly defined as a week in which the individual performs no work and with 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.

Partial unemployment refers to circumstances where individuals have their hours reduced instead of being laid off or where individuals perform part-time work while looking for a full-time job. Such individuals may be eligible for a partial weekly benefit amount as long as they meet all eligibility requirements.

In most states, an individual is partially unemployed in a week of less than full-time work with earnings less than the weekly benefit amount. In some states, an individual is partially unemployed in a week of less than full-time work when earning less than a percentage or multiplier of the weekly benefit amount.

The individual's benefit amount will generally equal the difference between the weekly benefit amount and earnings. When an individual certifies for benefits each week and reports any 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 (maximum benefit entitlement) 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 or a percentage of base-period wages (see Table 3-11, Maximum Benefit Entitlement). Consequently, a partially unemployed individual may draw benefits for a greater number of weeks than a totally unemployed individual provided the individual does not exceed their maximum benefit entitlement for the claim.

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 (\$50.95 earnings minus \$30 earnings disregard equals \$20.95; \$40 weekly benefit amount minus \$20.95 earnings reduction equals \$19.05).

**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
AL	WBA	½ WBA	AK	1½ x WBA + \$50	\$50 and ¼ wages over \$50
AZ	WBA	\$30	AR	WBA + 40% WBA	40% WBA
CA	WBA	Greater of \$25 or ¼ of wages	CO	WBA	¼ WBA

## 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
CT	1½ + basic WBA	½ wages; includes holiday pay in the remuneration for determining partial benefits	DE	WBA + greater of \$10 or ½ WBA	Greater of \$10 or ½ WBA
DC	WBA + \$20	½ of wages + \$50	FL	WBA	8 x Federal hourly minimum wage
GA	WBA	\$50; excludes payments for jury service	HI	WBA	\$150
ID	1½ WBA	½ WBA	IL	WBA	½ WBA
IN	WBA	Greater of \$3 or 20% WBA from other than BP employers; excludes payments for jury service	IA	WBA + \$15	¼ WBA; excludes payments for jury service
KS	WBA	¼ WBA	KY	1¼ x WBA	20% wages
LA	WBA	Lesser of ½ WBA or \$50	ME	WBA + \$5	\$100
MD	Augmented WBA	\$50	MA	WBA	½ WBA; earnings plus WBA may not equal or exceed the individual's AWW
MI	1.6 x WBA	For each \$1 earned, WBA reduced by 50 cents (benefits and earnings cannot exceed 1 3/5 WBA); earnings above 1.6 x 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 20%WBA, whichever is greater	\$20 or 20% 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	¼ WBA	NE	WBA	¼ WBA
NV	WBA	¼ wages	NH	WBA	30% WBA
NJ	WBA + greater of \$5 or 20% WBA	Greater of \$5 or 20% WBA	NM	WBA	20%WBA; excludes payments for jury service

## 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
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	20% WBA
ND	WBA	60% WBA	OH	WBA	20% WBA
OK	WBA + \$100	\$100	OR	WBA	Greater of \$120 or ½ WBA
PA	WBA + 40% WBA	Greater of \$21 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	20% 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	30% WBA
VT	WBA + \$15 provided the claimant works less than 35 hours (35 hours is considered full-time employment)	½ of gross wages	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
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 weekly benefit amount, some state 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.

## MONETARY ENTITLEMENT

**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, spouses, parents, or siblings may also be included in the definition. The following table outlines the states that have dependents’ allowances and the 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
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>

## 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		
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** - 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**—The dependents' allowance is ordinarily a fixed sum and almost 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 weekly benefit amount. 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. A few states permit dependents' allowances to be adjusted during the benefit year if an individual acquires additional dependents. 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 dependents' allowance for a week of partial unemployment. Consequently, the allowance for dependents may be greater than the basic benefit for partial unemployment.

**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 - \$178	\$26	\$178
IA	\$3 - \$14	Schedule \$3 - \$106	\$14	\$106

## MONETARY ENTITLEMENT

**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
ME	\$10	½ WBA	37	\$215
MD	\$8	\$40	\$40	same maximum WBA with or without dependents
MA	\$25	½ WBA	\$22	\$397
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		\$15	same maximum WBA with or without dependents
NM	\$25	½ WBA up to \$50	\$41	\$50
OH	\$1 - \$155	Determined by schedule according to the dependency class	\$0	\$155
PA	\$5; \$3 for one other dependent	\$8	\$8	\$8
RI	\$15 or 5% of WBA up to 5 dependents	Greater of \$50 or 25% of WBA	\$50	\$144

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)).

## MAXIMUM BENEFIT ENTITLEMENT

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 (*i.e.*, maximum benefit entitlement) for the benefit year.

Depending on the formula in a state's law and the distribution of wages in an individual's base-period, individuals with the same total base-period wages and weekly benefit amounts can have a different maximum potential benefit entitlement. The formula for maximum benefit amounts is generally tied to some percentage of base-period wages; however, some states use formulas that take into consideration the ratio of high-quarter wages to total base-period wages. A few state laws establish uniform durations for all individuals who meet the qualifying wage requirements.

The following table describes how each state calculates maximum benefit amounts for each individual, as well as the wage credits required to qualify. Such calculations assume consistent wage earnings throughout the claimant's base-period. This table reflects only benefits available from the regular UI program. Benefit amounts tied to extensions are addressed in Chapter 4 *Extensions and Special Programs*.



## MONETARY ENTITLEMENT

TABLE 3-11: MAXIMUM BENEFIT ENTITLEMENT				
State	Calculation of Maximum Benefit Amount	Maximum Potential Benefits		
		Maximum Benefit Amount <sup>1</sup>	Minimum Wages Required to Qualify for State Maximum Benefit	
			High-Quarter	Base-Period
AL	Lesser of 14x WBA or ¼ BPW	\$3,850	N/A	\$16,500
AK	Ratio of BPW to HQW—from less than 1.5 to 3.5 or more	\$9,620 - \$11,492	N/A	\$42,000
AZ	Lesser of 26 x WBA or ½ BPW	\$6,240	\$5,988	\$18,720
AR	Lesser of 16 x WBA or ½ BPW	\$7,216	N/A	\$46,904
CA	Lesser of 26 x WBA or ½ BPW	\$11,700	>\$11,674	\$23,400
CO	Lesser of 26 x WBA or ½ BPW	\$14,586 (low formula)	\$11,744 (low formula)	\$43,758 (low formula)
		\$16,068 (high formula)	N/A (high formula)	\$64,272 (high formula)
CT	N/A: Uniform duration state	\$26,874 - \$18,824	\$16,874 in each of 2 quarters	\$33,748
DE	½ BPW	\$10,400	N/A	\$20,800
DC	N/A: Uniform duration state	\$11,544	\$11,544	\$17,316
FL	Lesser of 12-23 x WBA or 25% BPW	\$6,325	\$7,150	\$25,300
GA	Lesser of 14 - 20 x WBA or ¼ BPW	\$7,300	N/A	\$29,200
HI	N/A: Uniform duration state	\$16,848	\$13,588	\$16,848
ID	Sliding scale of seasonally adjusted unemployment rates determines number of weeks (see scale in law)	\$8,960	\$11,648	\$31,899
IL	N/A: Uniform duration state	\$12,584 - \$17,342	N/A	\$26,715 in 2 quarters
IN	Lesser of 26 x WBA or 28% of BP wage credits	\$10,140	N/A	\$43,149
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	\$12,506 - \$15,366	\$11,063	\$37,518
KS	Lesser of 16 x WBA or ½ BPW	\$7,808	\$11,483	\$23,424
KY	Lesser of 26 x WBA or ½ BPW	\$14,352	N/A	\$46,256
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	\$11,570 - \$17,342	N/A	\$34,710
MD	N/A: Uniform duration state	\$11,180 with or without DA	>\$10,296	\$15,480
MA	Lesser of 30 x WBA or 36% BPW (reduced to 26 x WBA if all of the local areas unemployment rates are ≤5.1%)	\$24,690 - \$37,020	N/A	\$68,584
MI	Lesser of 20 x WBA or 43% BPW	\$7,240 with or without DA	\$8,830	\$16,838

## MONETARY ENTITLEMENT

TABLE 3-11: MAXIMUM BENEFIT ENTITLEMENT				
State	Calculation of Maximum Benefit Amount	Maximum Potential Benefits		
		Maximum Benefit Amount <sup>1</sup>	Minimum Wages Required to Qualify for State Maximum Benefit	
			High-Quarter	Base-Period
MN	Lesser of 26 x WBA or 1/3 BPW	\$12,012 (based on HQW)	\$12,012 (based on HQW)	\$36,036 (based on HQW)
		\$19,240 (based on BPW)	N/A (based on BPW)	\$76,960 (based on BPW)
MS	Lesser of 26 x WBA or 1/3 BPW	\$6,110	\$6,110	\$18,330
MO	Lesser of 20 x WBA or 1/3 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)	\$15,456	N/A	\$50,843
NE	Lesser of 26 x WBA or 1/3 BPW	\$11,440	\$11,440	\$34,320
NV	Lesser of 26 x WBA or 1/3 BPW	\$12,194	\$11,725	\$36,582
NH	N/A: Uniform duration state	\$11,102	N/A	\$41,500
NJ	Number of weeks worked in base year (up to 26) x WBA	\$18,538 with or without DA	N/A	\$30,897
NM	Lesser of 26 x WBA or 60% BPW	\$11,986 - \$13,286	\$11,202	\$19,977
NY	N/A: Uniform duration state	\$13,104	\$13,104	\$19,656
NC	N/A: Uniform duration state	\$7,000	N/A	\$18,200
ND	Ratio of BPW to HQW—from 1.5 to 3.2	\$16,068	N/A	\$88,747
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	\$11,518 - \$15,548	N/A	\$23,036 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	\$11,405	\$12,397	\$18,596
OR	Lesser of 26 x WBA or 1/3 BPW	\$16,848	N/A	\$51,840
PA	Number of credit weeks (18-26) in BP x WBA (a credit week is a week a claimant earned at least \$116)	\$14,872 - \$15,080	\$14,538	\$23,076
PR	N/A: Uniform duration state	\$4,940	\$4,940	\$7,600
RI	Lesser of 26 x WBA or 33% BPW	\$15,236 - \$19,032	N/A	\$46,170
SC	Lesser of 20 x WBA or 1/3 BPW	\$6,520	\$8,476	\$19,560
SD	Lesser of 26 x WBA or 1/3 BPW	\$10,764	\$10,764	\$32,292
TN	Lesser of 26 x WBA or 1/4 BPW	\$7,150	N/A	\$28,600
TX	Lesser of 26 x WBA or 27% BPW	\$13,546	\$13,013	\$50,171
UT	27% BPW	\$15,080	\$15,210	\$55,852
VT	Lesser of 26 x WBA or 46% BPW	\$13,338	N/A	\$28,996

## MONETARY ENTITLEMENT

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

State	Calculation of Maximum Benefit Amount	Maximum Potential Benefits		
		Maximum Benefit Amount <sup>1</sup>	Minimum Wages Required to Qualify for State Maximum Benefit	
			High-Quarter	Base-Period
VA	Ratio of BPW to HQW (see table in law)	\$9,828	N/A	>\$37,800
VI	Lesser of 26 x WBA or 1/3 BPW	\$15,652	\$15,652	\$46,956
WA	Lesser of 26 x WBA or 1/3 BPW	\$20,540	N/A	\$61,620
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	\$13,208	\$12,700	\$44,027

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, Base Period Wage and Employment Requirement for Benefits.) Some states will extend duration under certain circumstances; see Chapter 4 *Extensions and Special Programs* 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.

## DURATION OF BENEFITS

The number of weeks for which an individual may collect benefits (*i.e.*, duration) is determined by dividing the maximum benefit amount payable by the individual's weekly benefit amount. The maximum number of weeks available varies from state to state, however most states provide a maximum of 26 weeks of benefits.

A few state laws establish uniform durations of 26 weeks for all individuals who meet the qualifying wage requirements. States with a uniform duration 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 states with variable duration, the state calculates the maximum entitlement, then this amount is divided by the weekly benefit amount to derive the duration. In most of these states, an individual's benefits are limited to a fraction or percent of base-period wages. Some state laws specify both the minimum and maximum duration, in weeks, along with the method of calculating benefit entitlement. Because all of these states allow for the maximum benefit amount to be used for weeks of total or partial unemployment, individuals may 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.

## MONETARY ENTITLEMENT

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 <sup>1</sup>	
		Minimum	Maximum	Minimum	Maximum
AL				14	20
AK		16	26		
AZ		8	26		
AR		9	16		
CA		14	26		
CO		13	26		
CT	26				
DE		24	26		
DC	26				
FL				9	12-23
GA				6	14-20
HI	26				
ID				10	20-26
IL	26				
IN		26	26		
IA		8	26		
KS				10	16-26
KY		15	26		
LA	26				
ME		15	26		
MD	26				
MA				10	30 <sup>2</sup>
MI		14	20		
MN		11	26		
MS		13	26		
MO		8	20		
MT		8	28 <sup>3</sup>		
NE		10	26		
NV		8	26		
NH	26				
NJ		20	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 <sup>1</sup>	
		Minimum	Maximum	Minimum	Maximum
NM		14	26		
NY	26				
NC	12-20 <sup>4</sup>				
ND		12	26		
OH		20	26		
OK		16	26		
OR		3	26		
PA		18	26		
PR	26				
RI		17	26		
SC		13	20		
SD		15	26		
TN		13	26		
TX		10	26		
UT		10	26		
VT		21	26		
VA		12	26		
VI		13	26		
WA		1	26		
WV	26				
WI		14	26 <sup>5</sup>		
WY		11	26		

<sup>1</sup> See the most recent Significant Provisions of State UI Laws for a point-in-time reference (<https://oui.doleta.gov/unemploy/statelaws.asp#RecentSigProLaws>)

<sup>2</sup> Maximum number of weeks is capped at 26 during periods of low unemployment.

<sup>3</sup> To qualify for 28 weeks, individual's ratio of total base-period wages to HQ wages must be at least 3.5.

<sup>4</sup> Number of weeks paid in a given year is dependent upon the state's unemployment rate.

<sup>5</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.

## MONETARY ENTITLEMENT SEASONAL EMPLOYMENT AND BENEFITS

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

In these provisions, the term seasonal is defined 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. Typically this involves hearings and presentation of supporting data. It is possible for state law to allow an employer classified as a seasonal employer to request to 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, Indiana, Michigan, Oklahoma, and Tennessee; 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); 36 weeks in North Carolina; and 40 weeks in Ohio.

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

## MONETARY ENTITLEMENT

**TABLE 3-13: SEASONAL WAGE CREDITS AVAILABLE ONLY DURING SEASON**

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 BP 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 26 consecutive weeks or less and for a seasonal employer as defined by the state				

Two states have established other seasonal provisions, which are listed in the following table.

**TABLE 3-14: OTHER SEASONAL PROVISIONS**

DE	Individual with 75% or more of BP 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 BP
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

## DEDUCTIONS AND WITHHOLDING FROM BENEFITS

Federal law requires that money withdrawn from the state unemployment fund (refer to Chapter Three) must only be used to pay unemployment compensation. However, federal law explicitly provides for some exceptions to this requirement, as discussed in the following text.

**OVERPAYMENTS**—Federal law requires states to recover earlier overpayments from unemployment benefits that are otherwise payable. See Chapter 6 *Overpayments* 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.

**OVERISSUANCES OF FOOD STAMPS**—Federal law permits states to deduct an uncollected over issuance of food stamps. 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.

## MONETARY ENTITLEMENT

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			DC	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		NM	X	X
NY	X	X	NC	X		ND	X		OK	X <sup>2</sup>		OR	X	
RI	X		SC	X		UT	X		VT	X		WV	X	
WI	X													

GENERAL NOTE: **AK, FL, NV, SD, TX, 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 unemployment benefits 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.