

## CHAPTER 3

### MONETARY ENTITLEMENT

#### IN GENERAL

This chapter details the monetary requirements of state Unemployment Insurance (UI) laws, including:

- 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.

An individual’s monetary entitlement for unemployment compensation (UC) is determined by the law of the state where the UC claim was filed. While most individuals are employed in the state where they reside, many individuals regularly commute to a different state to work or work in more than one state. The Interstate Benefit Payment Plan was created to provide instructions for how states are to process UC claims when an individual has wage credits in a state but 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), it is important to recognize the relationship among these factors is complex. Therefore, careful consideration of these relationships must be made when comparing state laws.

#### BASE-PERIOD AND BENEFIT YEAR

An individual’s benefit rights to UC are determined using wages and employment from a specific period of time called a 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.

**BASE-PERIODS**—A 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, commonly known as a regular base period, as the look-back period. In other states, the look-back period is defined differently. For example, 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.

## MONETARY ENTITLEMENT

Base period employment is considered evidence of an individual’s attachment to the labor market. Because it is an imperfect measure, there are instances when individuals with labor market attachment are monetarily unable to establish a claim for benefits using a state’s regular base-period due to insufficient wages or hours/weeks worked. To address this, states have enacted additional base periods that apply under certain circumstances. This chapter refers to these in two ways: Alternative Base Periods (ABP) and Extended Base Periods (EBP). States may use different names to label these.

**Alternative Base-Period (ABP)**—A regular base-period results in a lag of up to six months between the end of the regular base-period and the date an individual files a claim. Consequently, the individual’s most recent work history is not used when determining monetary eligibility. When individuals fail to qualify under the regular base-period, many states determine monetary eligibility using an ABP in which the states will use wages and employment from the last four completed calendar quarters.

**Extended Base-Period (EBP)**—Several states allow individuals who have no wages in the current base-period, typically due to illness or injury, to use older wages and employment to establish eligibility. The use of this older time frame is generally called an extended base period. For example, a state may allow an individual who was previously injured on the job, and who has collected workers’ compensation benefits prior to filing for unemployment benefits, to establish eligibility for unemployment insurance benefits by using wages earned and employment worked before the date of the individual’s injury. (Note that some state laws may describe these base-periods as “alternative” base-periods.) The following table details the alternative and extended base periods states use in addition to the regular base-period.

TABLE 3-1: STATES WITH ALTERNATIVE AND/OR EXTENDED BASE-PERIODS			
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
CO	ABP: Last 4 completed quarters	CT	ABP: Last 4 completed quarters
DE	ABP: Last 4 completed quarters		EBP: Last 4 completed quarters preceding sickness or disability
GA	ABP: Last 4 completed quarters	DC	ABP: Last 4 completed quarters
HI	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

## MONETARY ENTITLEMENT

**TABLE 3-1: STATES WITH ALTERNATIVE AND/OR EXTENDED BASE-PERIODS**

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 preceding the disability if the claim was filed within 24 months from the date of the individual's disability
	EBP: Up to 4 quarters depending on length of time an individual received compensation for temporary disability under a workers' compensation law		
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
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 <u>prior to</u> 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
	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		

## MONETARY ENTITLEMENT

**TABLE 3-1: STATES WITH ALTERNATIVE AND/OR EXTENDED BASE-PERIODS**

TABLE 3-1: STATES WITH ALTERNATIVE AND/OR EXTENDED BASE-PERIODS			
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		
<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.			

**QUALIFYING WAGES OR EMPLOYMENT**—Within the base-period, all states require an individual to have earned a certain amount of wages, worked for a certain period of time, or both, to be monetarily eligible to receive benefits.

Most individuals qualify for benefits based on employment and wages in a single state. However, some individuals work in more than one state and may not have sufficient employment and wages in a single state to establish monetary eligibility. Additionally, some individuals could qualify for a higher weekly benefit amount if wages from multiple states are considered. In both of these situations, individuals may file a combined wage claim (CWC). In a CWC, wages and length of employment from multiple states may be combined in order to establish monetary eligibility or to increase a weekly benefit amount. The individual with wages in more than one state may file the claim in either state. 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 CWC cannot be used again to establish monetary eligibility on a different benefit year.

**Methods of Qualifying**—The methods that states use to determine monetary eligibility vary greatly and generally include one or more of the following methods: multiple of high-quarter wages, multiple of weekly benefit amount, flat qualifying amount, and weeks/hours of employment.

**Multiple of High-Quarter Wages**—Individuals must earn a certain dollar amount in the quarter of their base-period with the highest earnings and 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 so that total base-period wages equal \$7,500.

## MONETARY ENTITLEMENT

**Multiple of Weekly Benefit Amount**—The state agency will first compute the individual’s weekly benefit amount. See Table 3-5, Weekly Benefit Amounts. During the base period, the individual must have earned an amount equal to or greater than a specified multiple of the weekly benefit amount in order to establish monetary eligibility. For example, if an individual’s weekly benefit amount is \$100 and the state requires base-period earnings equal to 40 times the weekly benefit amount, the individual will need earnings of \$4,000 during the base period to qualify. Under this method, most states also require the individual to have earned wages in at least two base-period quarters. Additionally, some states have weighted schedules that require varying multiples for varying weekly benefits.

**Flat Qualifying Amount**—Under this method, individuals must earn a specified dollar amount of total wages during the base period.

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

The following table provides information on the qualifying formulas for each state. The columns under “Minimum Wages Needed to Qualify” are calculated based on the assumption that an individual earned a consistent amount of wages each quarter of their base period.

<b>TABLE 3-2: BASE-PERIOD WAGE AND EMPLOYMENT REQUIREMENTS FOR BENEFITS</b>			
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
AZ	1½ x HQW in BP and 390 x minimum wage in effect (\$4,992) 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	\$4,992	\$7,488
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 and 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	\$1,890	\$2,840
KS	30 x WBA in BP and wages in 2 quarters	N/A	\$4,050

## MONETARY ENTITLEMENT

<b>TABLE 3-2: BASE-PERIOD WAGE AND EMPLOYMENT REQUIREMENTS FOR BENEFITS</b>			
State	Qualifying Formula: Wages or Employment	Minimum Wages Needed to Qualify:	
		High- Quarter	Base-Period
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	\$1,968 in each of 2 quarters	\$5,904
MD	1½ x HQW in BP, >\$1,175 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	>\$1,175	\$1,800
MA	30 x WBA in BP and \$5,700 minimum in BP	N/A	\$5,700
MI	1½ x HQW in BP, wages in at least 2 quarters, and at least \$3,830 in HQ Alternative: BPW equal to 20 times the state AWW and wages in 2 quarters	\$3,830	\$5,745
MN	5.3 percent of state AAW rounded to the lower \$100	N/A	\$3,392
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	\$2,225	\$3,337
NE	\$4,532 in BP, \$1,850 in HQ, \$800 in another quarter	\$1,850	\$4,532
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	\$4,800
NM	\$2,332.72 in BP and wages in 2 quarters	N/A	\$2,332.72
NY	1½ x HQW in BP; H2QW equal to 221 x state minimum wage, rounded to the next lower \$100 increment	\$2,900	\$4,350
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 quarters	N/A	\$2,795 In 2 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: \$24,800 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	\$660	\$2,400
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	\$2,300	\$4,600
SC	1½ x HQW in BP and \$4,455 BPW and \$1,092 HQW	\$1,092	\$4,455

## MONETARY ENTITLEMENT

TABLE 3-2: BASE-PERIOD WAGE AND EMPLOYMENT REQUIREMENTS FOR BENEFITS			
State	Qualifying Formula: Wages or Employment	Minimum Wages Needed to Qualify:	
		High- Quarter	Base-Period
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 \$780.01 in highest 2 qtrs	>\$1,560 in 2 HQs
TX	37 x WBA in BP and wages in 2 quarters	N/A	\$2,627
UT	\$4,500 minimum and 1½ x HQW in BP (BPW must be 8% of state average fiscal year wages in BP, rounded to the higher \$100)	\$3,000	\$4,500
VT	1.4 x HQW in BP and \$2,999 in HQ (HQW will be adjusted by a percentage increase equal to the percentage increase in the state minimum wage for the prior year)	\$2,999	\$4,199
VA	\$3,000 in 2 highest quarters of BP	N/A	\$3,000 in 2 HQs
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.

**BENEFIT YEARS**—In most states a benefit year is a 1-year, or 52-week, period during which an individual may receive unemployment insurance benefits and the benefit year begins the week the claim is filed. In all states, the beginning date of the benefit year depends on when an individual first files a “valid claim,” meaning the individual meets minimum wage and employment requirements as it pertains to the base-period of the claim. The following table identifies states in which the benefit year begins in a week other than the week a valid claim is filed.

TABLE 3-3: 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 52 weeks beginning the first Monday after filing a valid original claim.

**QUALIFYING FOR A SECOND BENEFIT YEAR**—Federal law requires that an individual must have worked since the beginning of one benefit year in order to qualify for benefits in the next benefit year. In many states, the amount an individual must earn during this intervening employment 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 to meet the minimum qualifying requirement.

In some states, lag wages—wages earned after the prior claim’s base period and before the establishment of the prior claim’s benefit year—may be used to assist a claimant with qualifying for a second benefit year. In order to use lag wages to assist with establishing monetary eligibility, the individual must have worked since the beginning of their previous benefit year.

## 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
AL	8		X	AK	8		
AZ	8			AR	10		X
CA		Qualifying wages		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			IL	3		
IN	8		X	IA	8		X
KS	8		X	KY	5		
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



## 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
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)

As part of calculating an individual’s monetary eligibility, the state must determine the weekly benefit amount, that is, the amount payable for a week of total unemployment. UI is intended to provide a partial wage replacement, and an 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). As a result of this cap, states tend to replace income at a higher percentage for low-wage earners than they do for high-wage earners. Several states also provide dependents’ allowances to provide an additional payment based on the individual having dependents. All states round weekly benefits to an even dollar amount.

States determine eligibility for benefits weekly. Generally, a week of unemployment is 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)**—The weekly benefit amount is calculated by looking at wages in the quarter with the highest earnings in the base period. 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 ½ 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 1/26 of the high-quarter wages (1/13 multiplied by .5). The most common multiple used by states is 1/26 of the high-quarter wages. Alternatively, states that use this method may calculate the benefit as a percentage of high-quarter wages.

Because even the quarter of highest earnings may include some periods of unemployment, some states use a fraction to generate a higher weekly benefit amount (*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.

## MONETARY ENTITLEMENT

**Multi-Quarter Method (MQ)**—The weekly benefit amount is calculated as a multiple of the total or average quarterly wages paid across multiple quarters. 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)**—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 use a weighted schedule, which gives a larger proportion of annual wages to lower-paid individuals to determine their weekly benefit amount, while other states use a flat percentage.

**Weekly-Wage Method (WW)**—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, as well as the minimum and maximum amounts available in that respective states. Additionally, and assuming consistent wage earnings throughout the claimant’s base-period, the table provides the wages required to be eligible for the maximum weekly benefit amount in that respective state.

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	Nearest \$	\$56 - \$80	\$370 - \$394	N/A	\$42,000
AZ	<b>HQ</b> 1/25 HQW	Nearest \$	\$200	\$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	\$11,700
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	\$636 (low formula)	\$11,744 (low formula)	\$27,560 in 2 quarters (low formula)
				\$700 (high formula)	N/A (high formula)	\$72,800 (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	\$685 - \$760	\$17,810 in each of 2 quarters	\$35,620 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

## 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
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	\$695	\$14,595	\$18,070
ID	<b>HQ</b> 1/26 HQW	Lower \$	\$72	\$499	\$12,974	\$16,218
IL	<b>MQ</b> 47% of the claimant's wages in highest 2 quarters divided by 26 + DA	Higher \$	\$51 - \$77	\$542 - \$745	N/A	\$29,939 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 \$	\$79 - \$95	\$531 - \$651	\$12,213	\$15,267
KS	<b>HQ</b> 4.25% HQW	Lower \$	\$135	\$540	\$12,706	\$16,200
KY	<b>AW</b> 1.1923% BPW	Nearest \$	\$39	\$569	N/A	\$47,681
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	\$275 to \$284	N/A	\$27,500 to \$28,400
ME	<b>MQ</b> 1/22 of the average of the 2 HQs + DA (see table in law)	Lower \$	\$89 - \$155	\$511 - \$894	N/A	\$22,484 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 \$	\$55 - \$83	\$974 - \$1461	N/A	\$50,648 in 2 high-quarters
MI	<b>HQ</b> 4.1% HQW + DA	Lower \$	\$157 - \$187	\$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 \$	\$31	\$529 (based on HQW) \$820 (based on BPW)	\$13,754 (based on HQW) N/A (based on BPW)	\$13,754 (based on HQW) \$85,280 (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 \$	\$183	\$618	N/A	\$32,527 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
NE	<b>WW</b> 1/2 of AWW, may not exceed 1/2 of state AWW	Lower even \$	\$70	\$490	\$12,740	\$13,540
NV	<b>HQ</b> 1/25 HQW	Lower \$	\$16	\$533	\$13,325	\$19,988
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 \$	\$144 - \$165	\$804 same with or without DA	N/A	\$26,800 in 20 weeks
NM	<b>WW</b> 53½% of AWW in HQ + DA; wages in 2 quarters of BP	Lower \$	\$96 - \$144	\$514 - \$565	\$12,490	\$12,491
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 \$	\$116	\$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 1/2 of total wages in third highest quarter)	Lower \$	\$43	\$657	N/A	\$42,705 In 2.5 quarters
OH	<b>WW</b> 50% (wages in qualified weeks in BP divided by number of such weeks) + DA	Lower \$	\$149	\$530 - \$715	N/A	\$21,200 in 20 weeks
OK	<b>HQ</b> 1/23 HQW	Lower \$	\$16	\$476	\$10,948	\$16,422
OR	<b>AW</b> 1.25% BP wages	Lower \$	\$171	\$733	N/A	\$58,640
PA	<b>HQ</b> (4% HQW + 2) x 0.98 + DA (see table in law)	Lower \$	\$68 - \$76	\$594 - \$602	\$15,088	\$23,949
PR	<b>HQ</b> 1/11 - 1/26 HQW	Lower \$	\$60	\$240	\$6,240	\$9,600
RI	<b>MQ</b> 3.85% of average of 2 highest quarter wages + DA	Lower \$	\$62 - \$112	\$661 - \$826	N/A	\$34,338 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	\$466	\$12,116	\$21,436
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 \$	\$71	\$549	\$13,713	\$20,295

## 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
UT	<b>HQ</b> 1/26 HQW minus \$5	Lower \$	\$38	\$661	\$17,316	\$25,974
VT	<b>MQ</b> Wages in the 2 highest quarters divided by 45	Lower \$	\$75	\$583	N/A	\$26,235 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	\$642	\$16,692	\$25,038
WA	<b>MQ</b> 3.85% of average of 2 HQs	Lower \$	\$295	\$929	N/A	\$48,260 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% HQW	Lower \$	\$54	\$370	\$9,250	\$12,950
WY	<b>HQ</b> 4.0% HQW	Lower \$	\$38	\$533	\$13,325	\$18,655

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: Because 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 3-2, 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. Specific detail about state DAs are in Table 3-9, Definition of Dependent.

<sup>2</sup> Depending upon the procedure in place each year, different benefit multipliers may be 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 states link their maximum weekly benefit amount with the state's average weekly wage, thus providing for an automatic adjustment as overall 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. The minimum weekly benefit amount is specified in the law in most states. 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.

## 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			
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
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				66⅔%		September 1
ME	X					52%		June 1
MA		X				57½%		1 <sup>st</sup> Sunday in October
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
NE	X					50% of the individual's AWW during the HQ to a maximum of 50% of state AWW		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			
NV	X					50%		July 1
NJ	X					56⅔%		January 1
NM			X			53½%	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		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.

## MONETARY ENTITLEMENT

### WAITING PERIOD

In most states, individuals who are otherwise eligible for benefits must serve a waiting period of one week, often called a waiting week, before being able to receive benefits. During the waiting period, benefits are not payable. 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. For example, if an individual, after intervening employment, has an additional spell of unemployment that continues beyond the end of the first benefit year, then the individual may not, depending on state law, have to serve another waiting week if monetarily eligible for benefits in the second year. The following table provides information about states' initial waiting periods.

<b>TABLE 3-7: STATE INITIAL WAITING PERIODS</b>			
State	Duration <sup>1</sup> (week)	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 (e.g., natural disaster)
CO	1		
CT	No waiting period		
DE	No waiting period		
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		



## MONETARY ENTITLEMENT

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

State	Duration <sup>1</sup> (week)	Becomes Compensable After	May Be Waived Under These Circumstances
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	1	Later of one week or when any issues preventing payment are resolved and initial payment made	Discretion of the Agency
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	Governor may waive for individuals unemployed as a direct result of a presidentially declared disaster provided the individual is eligible for regular UC and is not receiving DUA benefits for the period that includes the waiting period.
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

## MONETARY ENTITLEMENT

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

State	Duration <sup>1</sup> (week)	Becomes Compensable After	May Be Waived Under These Circumstances
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.

### 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 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 experienced a reduction in both hours and wages but continue to perform part-time work. 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.

Generally, states reduce an individual's weekly benefit amount based upon the part-time earnings reported by the individual on their claim for benefits. The amount of that reduction depends on state law. All states disregard some earnings for partially unemployed individuals in order to incentivize part-time or short-term work, referred to as the "earnings disregard". Thus, a partially unemployed individual's weekly benefit will usually be the difference between their weekly earnings, reduced by the state's earnings disregard, and their weekly benefit amount.

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, a state may calculate an individual's weekly benefit amount to be \$40 and the individual earns \$50.95 from part-time work during a given week. The state has an earnings disregard of \$30. The individual would receive a partial benefit of \$19 (\$50.95 part-time earnings minus \$30 earnings disregard equals \$20.95; \$40 weekly benefit amount minus \$20.95 earnings reduction equals \$19.05).

States usually provide individuals with information about their maximum amount of benefits or a maximum number of weeks that can be drawn throughout the benefit year. See Table 3-11, Maximum Benefit Entitlement. In states that calculate a maximum amount of benefits, a partially unemployed individual may draw benefits for a greater number of weeks than a totally unemployed individual, but at a reduced weekly benefit amount, provided the individual does not exceed their maximum benefit entitlement for the claim. The following table details states' definition of partial unemployment and each states' applicable earnings disregard.

## 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
AL	WBA	1/3 WBA	AK	1 1/3 x WBA + \$50	\$50 and 1/4 wages over \$50
AZ	WBA	\$30	AR	WBA + 40% WBA	40% WBA
CA	WBA	Greater of \$25 or 1/4 of wages	CO	WBA	1/4 WBA
CT	1 1/2 + basic WBA	1/3 wages; includes holiday pay in the remuneration for determining partial benefits	DE	WBA + greater of \$10 or 1/2 WBA	Greater of \$10 or 1/2 WBA
DC	WBA + \$20	1/3 of wages + \$50	FL	WBA	8 x Federal hourly minimum wage
GA	WBA	\$50; excludes payments for jury service	HI	WBA	\$150
ID	1 1/2 WBA	1/2 WBA	IL	WBA	1/2 WBA
IN	WBA	Greater of \$3 or 20% WBA from other than BP employers; excludes payments for jury service	IA	WBA + \$15	1/4 WBA; excludes payments for jury service
KS	WBA	1/4 WBA	KY	1 1/4 x WBA	20% wages
LA	WBA	Lesser of 1/2 WBA or \$50	ME	WBA + \$5	\$100
MD	Augmented WBA	\$50	MA	WBA	1/3 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	1/4 WBA	NE	WBA	1/4 WBA
NV	WBA	1/4 wages	NH	WBA	30% 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
NJ	WBA + greater of \$5 or 20% WBA	Greater of \$5 or 20% WBA	NM	WBA	20%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	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 weekly benefit

## MONETARY ENTITLEMENT

amount. 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, living with the individual, 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, 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, or percentage of weekly benefit amount. 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 UI benefits may draw the full dependents' allowance amount in addition to their partial weekly benefit amount in most of the states providing for these allowances.

**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
ME	\$10	½ WBA	\$37	\$215

## 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
MD <sup>2</sup>	\$8	\$40	\$40	Same maximum WBA with or without dependents
MA	\$25	½ WBA	\$22	\$487
MI <sup>2</sup>	\$6	\$30	\$30	Same maximum WBA with or without dependents
NJ <sup>2</sup>	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 - \$185	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)).

<sup>2</sup> **MD, MI, NJ** - see Table 3-5: Weekly Benefit Amount, for more information regarding maximum benefit amount.

## 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. This total maximum amount is determined based on a formula that is based on state law. The maximum benefit entitlement is available to the individual only for the duration of the benefit year. Individuals may not collect the full maximum benefit entitlement if, during the benefit year, the individual returns to work, is disqualified, or stops filing for another reason. Consequently, this balance is not available to collect after the benefit year expires.

Depending on the state's qualifying formula 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 benefit entitlement. Generally, the formula for maximum benefit amounts is 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, meaning the same number of weeks, for all individuals who meet the qualifying wage requirements. In such cases, the maximum benefit amount is determined by multiplying the weekly benefit amount times the number of weeks established based on the state's uniform duration.

The following table describes how each state calculates maximum benefit amounts, as well as the wage credits required to qualify. Such calculations assume consistent wage earnings throughout the claimant's base-

## MONETARY ENTITLEMENT

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*.

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 14 x 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	\$16,536 (low formula)	\$13,780 (low formula)	\$49,608 (low formula)
		\$18,200 (high formula)	N/A (high formula)	\$72,800 (high formula)
CT	N/A: Uniform duration state	\$17,810 - \$19,760	\$17,810 in each of 2 quarters	\$35,620
DE	Lesser of 26 x WBA or 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	\$18,070	\$14,595	\$18,070
ID	Sliding scale of seasonally adjusted unemployment rates determines number of weeks (see scale in law)	\$9,980	\$12,974	\$35,530
IL	N/A: Uniform duration state	\$14,092 - \$19,370	N/A	\$29,939 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	\$13,806 - \$16,926	\$12,222	\$41,418
KS	Lesser of 26 x WBA or ½ BPW	\$8,640	\$12,706	\$25,920
KY	Lesser of 26 x WBA or ½ BPW	\$14,794	N/A	\$47,681
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	\$13,286 - \$23,244	N/A	\$39,858
MD	N/A: Uniform duration state	\$11,180 with or without DA	>\$10,296	\$15,480



## 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
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%)	\$25,324 - \$37,986	N/A	\$70,345
MI	Lesser of 20 x WBA or 43% BPW	\$7,240 with or without DA	\$8,830	\$16,838
MN	Lesser of 26 x WBA or ½ BPW	13,754 (based on HQW)	\$13,754 (based on HQW)	\$41,262 (based on HQW)
		\$21,320 (based on BPW)	N/A (based on BPW)	\$85,280 (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)	\$17,303	N/A	\$56,923
NE	Lesser of 26 x WBA or ½ BPW	\$12,740	\$12,740	\$38,220
NV	Lesser of 26 x WBA or ½ BPW	\$13,858	\$13,325	\$41,574
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	\$20,904 with or without DA	N/A	\$34,840
NM	Lesser of 26 x WBA or 60% BPW	\$13,364 - \$14,690	\$12,490	\$22,274
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	\$17,082	N/A	\$91,104
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	\$13,780 - \$18,590	N/A	\$27,560 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	\$10,948	\$16,422
OR	Lesser of 26 x WBA or ½ BPW	\$19,058	N/A	\$58,640
PA	Number of credit weeks (18-26) in BP x WBA (a credit week is a week a claimant earned at least \$116)	\$15,444 - \$15,652	\$15,088	\$23,949
PR	N/A: Uniform duration state	\$6,240	\$6,240	\$9,600
RI	Lesser of 26 x WBA or 33% BPW	\$17,186 - \$21,476	N/A	\$52,079
SC	Lesser of 20 x WBA or ½ BPW	\$6,520	\$8,476	\$19,560
SD	Lesser of 26 x WBA or ½ BPW	\$12,116	\$12,116	\$36,348
TN	Lesser of 26 x WBA or ¼ BPW	\$7,150	N/A	\$28,600

## 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
TX	Lesser of 26 x WBA or 27% BPW	\$14,274	\$13,713	\$52,867
UT	27% BPW	\$17,186	\$17,316	\$63,652
VT	Lesser of 26 x WBA or 46% BPW	\$15,158	N/A	\$32,953
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	\$16,692	\$16,692	\$50,076
WA	Lesser of 26 x WBA or 1/3 BPW	\$24,154	N/A	\$72,462
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	\$13,858	\$13,325	\$46,194

GENERAL NOTE: Because 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 3-2, 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 maximum number of weeks an individual may receive benefits during their benefit year is different for each state and dependent on the individual's base-period wages, though most states provide a cap of 26 weeks of benefits.

Many states provide for variable durations, where the number of weeks for which an individual may collect benefits (i.e., duration) is determined by dividing the maximum benefit amount payable (see Table 3-11, Maximum Benefit Entitlement, for calculation methodology) by the individual's weekly benefit amount (see Table 3-5, Weekly Benefit Amount, for calculation methodology). Some states specify both a minimum and maximum number of weeks, and a sub-set of these states adjust these minimum and maximum values depending on the state's unemployment rate. 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 at a reduced weekly benefit amount, 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 may have a higher weekly benefit amount but a shorter duration.

## MONETARY ENTITLEMENT

As noted in Table 3-11, Maximum Benefit Entitlement, some states establish a uniform duration for all individuals who meet the qualifying wage requirements (see Table 3-2, Base Period Wage and Employment Requirement for Benefits, for calculation methodology). 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.

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 Duration Number of Weeks	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>		

## MONETARY ENTITLEMENT

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

State	Uniform Duration Number of Weeks	Variable Duration			
		Weeks Based on Base-Period Wages (BPW)		Weeks Based on BPW and Unemployment Rate <sup>1</sup>	
		Minimum	Maximum	Minimum	Maximum
NE		10	26		
NV		8	26		
NH	26				
NJ		20	26		
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.

## SEASONAL EMPLOYMENT AND BENEFITS

Several states have laws that contain special provisions restricting payment of benefits to individuals who earned some or a substantial part of their base-period wages from employers operating on a seasonal basis.

## MONETARY ENTITLEMENT

The definition of seasonal employment varies across states. Most consider the industry, employer, or occupation involved; the wages earned during the operating period of the employer or industry (e.g., the season); and the individual. Some states allow an employer classified as a seasonal employer to request to not to be treated as a seasonal employer.

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.

Other states provide a more uniform definition of seasonal employment, which considers the climate conditions or seasonal nature of the employment and the extent to which it is customary to operate only during regularly recurring periods up to a specified number of weeks. This specified number of weeks includes: 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
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				

## MONETARY ENTITLEMENT

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 2, *Financing*) must only be used to pay unemployment compensation. However, federal law explicitly provides for some exceptions to this requirement.

**OVERPAYMENTS**—Overpayments are established when the state determines an individual received benefits they were not entitled to receive. Federal law requires states to recover existing overpayments by offsetting 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 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)**—Federal law permits states to deduct an uncollected over issuance of SNAP (i.e., food stamps). The following table indicates which state laws authorize these deductions, though the state UI and SNAP agencies must enter into an agreement to implement this provision.

TABLE 3-15: STATES WITH AUTHORITY TO DEDUCT SNAP 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 Taxes	Local Taxes	State	State Taxes	Local Taxes	State	State Taxes	Local Taxes	State	State Taxes	Local Taxes
AZ	X		CO	X		CT	X	X	DC	X	
GA	X		HI	X	X <sup>1</sup>	ID	X		IL	X	
IA	X		KS	X		KY	X		ME	X	X

## MONETARY ENTITLEMENT

**TABLE 3-16: WITHHOLDING STATE AND LOCAL INCOME TAX AT CLAIMANT OPTION**

State	State Taxes	Local Taxes	State	State Taxes	Local Taxes	State	State Taxes	Local Taxes	State	State Taxes	Local Taxes
MD	X		MA	X		MI	X <sup>2</sup>		MN	X	
MS	X	X	NE	X		NY	X	X	NC	X	
ND	X		OK	X <sup>2</sup>		OR	X		RI	X	
SC	X		UT	X		VT	X <sup>2</sup>		WV	X	
WI	X										

GENERAL NOTE: **AK, DE, 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**—Federal law permits states to deduct amounts from an individual’s benefit to pay for certain types of health insurance, if the individual elects to do so. While neither state has implemented such provisions, Illinois and Oklahoma authorize the deduction of health insurance premiums from unemployment benefits if the individual so elects, provided the state has an approved health care plan for unemployed individuals. Massachusetts has a health insurance program for unemployed individuals; however, it is unrelated to the UI program.