

# Claimant Guide

## Unemployment Insurance Benefits



### Do it all online:

file for benefits • check claim status • register for work

**Important:** You will be held accountable for the information contained in this guide. Please read the guide carefully and keep it for reference during your claim.





**File for benefits, check claim status and register for work online at [jobs.utah.gov](http://jobs.utah.gov)**

**Unemployment Insurance Division  
Claims Center Telephone Numbers:**

Salt Lake and South Davis Counties . . . . . 801-526-4400  
Weber and North Davis Counties . . . . . 801-612-0877  
Utah County. . . . . 801-375-4067  
Balance of State or Out of State. . . . . 888-848-0688

**Unemployment Insurance Fax Numbers:**

Adjudication. . . . . 801-526-4402  
Appeals. . . . . 801-526-9242  
Benefit Accuracy Measurement . . . . . 801-526-9215  
Benefit Payment Control . . . . . 801-526-9800  
Claims Center . . . . . 801-526-4401

**Address:** P.O. Box 45266 • Salt Lake City, UT 84145-0266

**REMEMBER:**

You will need to file your claim each week, even if you are awaiting a decision.  
Otherwise, you will not be paid for those weeks.

Refer to the section entitled **Weekly Claim Filing Instructions** for full information  
about weekly filing.

**PROTECT YOUR PERSONAL IDENTIFICATION NUMBER (PIN):**

You are the only one who should know your PIN. Your PIN is your signature when you file your weekly claim. Do not allow anyone else to have access to your PIN. You will be liable for improper or fraudulent payments made using your PIN. If another person has knowledge of your PIN, change your PIN immediately online at [jobs.utah.gov](http://jobs.utah.gov) or call the Claims Center.

04-02-0117

**Equal Opportunity Employer/Program**

Auxiliary aids and services are available upon request to individuals with disabilities by calling 801-526-9240. Individuals with speech or hearing impairments may call the Relay Utah by dialing 711. Spanish Relay Utah: 1-888-346-3162.



## INDEX

Able to Work/Available to Work .....	10
Address Changes .....	18
Appeals .....	16
Audit of Your Claim .....	15
Base Period .....	4
Beginning Date of Your Claim .....	4
Benefit Year .....	5
Child Support Deduction .....	13
Closing a Claim (Back to Work Full Time) .....	14
Correspondence .....	18
Eligibility Reviews .....	15
Eligibility/Denial of Benefits .....	15
Foreign Travel .....	12
Fraud and Penalties .....	3
Incarceration/Prison or Jail Confinement .....	12
Internet Login — Single Sign On .....	5
Monetary Determination .....	4
Online Services .....	18
Overpayments .....	16
Payment Methods — Direct Deposit or U.S. Bank Reliacard .....	12
Payments/Waiting Week .....	11
Re-employment and Employment Centers .....	8
Refusal of Work .....	12
Reopening a Closed Claim .....	15
Retirement Deduction .....	14
Self-Employment/Commission Sales .....	8
Suitable Work .....	9
Tax Liability .....	14
Trade Act Benefits .....	17
Training/School Approval .....	12
U.S. Bank Reliacard Security .....	13
Vacation, Holiday, Severance, or Separation Pay .....	11
Wage Requirements .....	4
Weekly Claim Filing Instructions .....	5
Work and Earnings Reporting .....	7
Work Registration .....	10
Work Search Requirements .....	9

## **Use of this Guide**

This guide tells you what you need to know while filing a claim. We recommend that you read through the guide at the beginning of your claim. You can then reference back to specific topics as you file for your benefits throughout your claim.

It does not cover all the laws and rules that affect unemployment benefits. If you need help with or have a question about your claim, sign into your “my Unemployment” account at [jobs.utah.gov](https://jobs.utah.gov) and select our Live Chat feature or call the Claims Center at the numbers listed on the inside cover.

Unemployment Insurance laws and rules may be accessed online at [jobs.utah.gov](https://jobs.utah.gov).

## **General Information**

By filing a claim for unemployment benefits, you give consent to your employer(s) to release to the Utah Department of Workforce Services all information necessary to determine eligibility, even if the information is confidential. Utah law requires employers to report any wages covered under the Utah Employment Security Act and the reason you are not working.

Your benefits may be denied if you fail to provide Workforce Services with all the information necessary to determine your eligibility for benefits. Workforce Services may use information you or your employer provide to:

- Perform Workforce Services business, including, but not limited to: payment of benefits, employment services, statistical data, law enforcement, audits and hearings.
- Disclose to your former employer(s) to determine your eligibility for benefits.
- Disclose to other state or federal agencies for eligibility verification and for law enforcement efforts.
- Disclose to the Governor’s Office for economic development planning; to other state or federal agencies for child support and civil rights enforcement programs and to other state and federal agencies that administer programs established for the protection of workers in the workplace.
- Subject to verification through appropriate matching programs.

Workforce Services is not allowed to release information about your claim to your spouse, friends, bank, credit union, attorney, or any other party unless there is a signed release from you or a court order.

Unemployment Insurance is not public assistance, Social Security, or a disability payment. The intent of Unemployment Insurance is to pay temporary assistance to eligible claimants during times of unemployment when suitable work is not available.

## **Employers pay all costs of the Unemployment Insurance program.**

Benefits are paid to eligible workers who:

- Have sufficient wages during the base period
- Are unemployed through no fault of their own
- Are able to work full-time
- Are available for and actively seeking full-time work

## **Fraud and Penalties**

You commit fraud if you make false statements, provide false information, or withhold information to obtain benefits for which you are not eligible. The most common cause of fraud is failure to report all earnings while filing for benefits, or not accurately reporting the reason you are not working.

Only you are authorized to file your claim for benefits. The responsibility for filing weekly claims cannot be delegated to another person, including your spouse. **You will be held responsible for any false information provided.**

Do not allow anyone else to have access to your Personal Identification Number (PIN). Your PIN is your signature when you file your weekly claim. If anyone has knowledge of your PIN, even your spouse, go online to [jobs.utah.gov](http://jobs.utah.gov), select “Sign in” (in the upper right-hand corner) then “my Unemployment” and “Login” to change your PIN. You may also call the Claims Center to change your PIN.

Penalties for fraud include some or all of the following:

- **Repayment of at least twice the amount of benefits paid**
- Denial of future benefits for up to 49 weeks
- Wage garnishments, tax interception and liens
- Criminal prosecution under federal and/or state law
- Court fines, community service and probation
- Incarceration
- Publication of conviction

Utah has a full-time fraud detection division to identify and recommend criminal prosecution of those who commit fraud. If you wish to report unemployment fraud it may be done online at <http://jobs.utah.gov/ui/Fraud/uifraud> or by phone at 801-526-4400 and select option 2.

## **Base Period**

The base period is the 12-month period used to determine your weekly benefit amount and the number of weeks you may be paid benefits.

The base period is the first four of the last five completed calendar quarters before the week in which you file your application for benefits. A calendar quarter is a three-month period ending March 31, June 30, September 30 or December 31.

### **Example of calendar quarter:**

<b>If your claim is effective between the following dates:</b>	<b>Your 12-month base period would be the preceding:</b>
January through March	October 1 to September 30
April through June	January 1 to December 31
July through September	April 1 to March 31
October through December	July 1 to June 30

If you do not qualify with wages paid during this base period, you may still qualify using an alternate base period, which would be the most recent four completed calendar quarters.

## **Wage Requirements**

To determine your unemployment amount, you must have earned wages in two or more calendar quarters of your base period. Your total base-period wages must be at least 1.5 times the wages you earned in your highest quarter. There is also a minimum amount of wages required during the base period.

## **Beginning Date of Your Claim**

Your claim is normally effective the Sunday of the week you file an application for benefits, provided you did not work full-time or have earnings equal to or in excess of your weekly benefit amount during that week.

## **Monetary Determination**

Normally, you will receive a “Notice of Monetary Determination” within three weeks from the date you file your claim for unemployment benefits.

This notice includes:

- Wages reported by your base period employer(s)
- Your weekly benefit amount



- Number of weeks of unemployment benefits you may receive if you meet all eligibility requirements. (See **Eligibility/Denial of Benefits**) The number of weeks ranges from 10–26 depending on your earnings

Carefully review the wages and employers reported on the monetary determination. Missing wages or missing employers could reduce your benefits or prevent you from qualifying.

If you do not receive this notice after you have filed for four weeks, call the Claims Center. If you believe the wages or employers reported on the notice are not correct, please follow the instructions in the “Notice of Monetary Determination.”

## **Benefit Year**

Your claim is established for a 52-week period called a benefit year. It begins with the effective date of your claim and ends 52 weeks from that date. You may file for weeks you are unemployed until you have exhausted your benefits. You may also file if you have earnings from part-time employment that are less than your weekly benefit amount. At the end of the benefit year, your claim will end whether or not you have received all your benefits. You may not file a new Utah claim for benefits until your benefit year has ended.

## **Internet Login — Single Sign On**

In order to access your unemployment account through the web, you will need to create a sign on account that requires an email address. You may use a current email that you have or create a new email account to complete this process. The email used to sign into your account does not need to be the same as the one that is on file with the unemployment division.

To set up your account go to [jobs.utah.gov](http://jobs.utah.gov), select “Sign in” (in the upper right-hand corner) then select “my Unemployment” and “Login.” There are four providers to choose from for your sign on account: Google, Facebook, Yahoo and Utah ID. Once you have selected your provider, carefully read each page and follow the steps. Once your account is set up you will use this login for all interaction with Workforce Services.

## **Weekly Claim Filing Instructions**

You must file weekly claims to receive benefits. To file a weekly claim, you will need your Social Security Number and PIN. The unemployment claim week begins on Sunday and ends on Saturday at midnight. **We encourage you to file your claim on Sunday or as soon as possible after the Saturday week-ending date. You can file your weekly claim online at [jobs.utah.gov](http://jobs.utah.gov), select “Sign In” (in the upper right-hand corner) then “my Unemployment” and then choose “File Weekly Claim.”**

You will be asked for your PIN each time you use the system. Your PIN is the four-digit number you selected when you established your claim. (See **Fraud and Penalties**)

Each week you must answer questions to determine your eligibility for benefits. Failure to file a weekly claim in a timely manner could result in a denial of benefits. The system will not permit late filing. If you do not file a weekly claim within 27 days from the Saturday of the last week filed, your claim will be late and will be closed. If you wish to continue filing, you will need to reopen your claim at jobs.utah.gov or by calling the Claims Center. Your claim will be reopened effective the Sunday of the week in which you contact Workforce Services. (See **Reopening a Closed Claim**)

You will be filing for a specific week. Be careful to answer the questions as they pertain to that specific week only. All gross wages must be reported for the week the work is performed, regardless of when they are paid. You will be asked some or all of the following questions, depending on the status of your claim. These questions apply only to the specific week for which you are filing:

- A. “During the week, did you work or attend paid training?”
- B. “How much did you earn before deductions?” (Your gross earnings without any cents.) For example, if you earned \$116.80, you would enter “116.” Depending on the amount of earnings you report, you may be asked some additional questions not listed here.
- “During the week, did you quit a job or were you fired from a job?”
- “Did you refuse any offers of work or fail to apply for work during the week?”
- “Did you attend school or unpaid training during the week?”
- “Were you able and available for full-time work without any restrictions?”
- “Did you travel outside the United States during the week?”
- “You are required to make four new full-time employer contacts each week. You will be required to provide this employer information. Did you contact employers for work as you were instructed by the Department?”
- “You will be held responsible for the information contained in your Claimant Guide. Have you received your Claimant Guide?”

After you have answered these questions, your responses will be displayed back to you and you will have the opportunity to correct or certify your answers.

**Knowingly or carelessly misreporting earnings constitutes fraud. The law provides severe penalties for receiving unemployment benefits under fraudulent circumstances.** (See **Fraud and Penalties**) If you realize you made a mistake after filing your weekly claim, call the Claims Center immediately.

## **Work and Earnings Reporting**

The unemployment claim week begins on Sunday and ends on Saturday at midnight. The first question asked on your weekly certification is, “Did you work or attend paid training?” If you performed any type of work during the week of certification, you must answer “yes” to that question.

You must report all your work and gross earnings (before taxes or deductions) for the week in which you worked, even if you have not been paid. If you have questions about how to report your earnings, call the Claims Center. You must report:

- Full-time, part-time, or temporary work (e.g., 10 hours of work at \$9.00/hour = \$90.00)
- Paid training for any employer
- Military reserve or National Guard duty
- Work for a non-profit organization or church
- Self-employment, work on contract or commission basis
- Payment for providing childcare, even in your own home
- Holiday, severance, vacation pay
- Tips
- Farming income
- Volunteer work
- Cash value of work performed in exchange for anything of value

If you work less than full-time and earn less than your weekly benefit amount during a given week, you may continue filing since you will be entitled to partial unemployment benefits if you are otherwise eligible. Workforce Services will apply a 30 percent earnings allowance to calculate your weekly benefit payment. For example, if your weekly benefit amount is normally \$300.00, you could earn \$90.00 (30 percent of \$300.00) without affecting payment for that week, **however you must still report those earnings.**

If your earnings equal or exceed your weekly benefit amount or you work 40 or more hours during the week, you will not receive any payment or waiting week credit for that week. You must accept all suitable work offered to you or report to the department you failed to accept such work.

**You are responsible for any inaccurate or incomplete information you provide. If you receive more income than you reported, you are responsible to immediately contact the Claims Center to correct previously reported earnings. Failure to correctly report all work and earnings could result in overpayments and penalties. (See Fraud and Penalties)**

## **Self-Employment/Commission Sales**

All self-employment or commission sales activities must be reported immediately to the Claims Center and on your weekly filing. Involvement in self-employment or commission sales could result in a denial of benefits even if no wages are earned or received. Failure to notify the Claims Center could result in benefit overpayments and penalties. (See **Fraud and Penalties**)

## **Re-employment and Employment Centers**

The unemployment division is part of Workforce Services and provides temporary assistance for qualified workers. Your obligation while receiving benefits is to become re-employed and you should develop a realistic plan to achieve this objective.

Workforce Services offers many tools and services online at [jobs.utah.gov](http://jobs.utah.gov) and through each of our Employment Centers statewide. These services include:

- Career counseling
- Job searching
- Resume assistance
- Workshops
- Re-employment services
- Resource referrals
- Labor market information
- Veteran resources
- Training and education resources
- Information on Workforce Services' tools and programs

For the address and phone number of your closest Utah Employment Center go to [jobs.utah.gov](http://jobs.utah.gov), scroll to the bottom, and enter your zip code under the "Find a Department of Workforce Services location" box in the bottom left hand corner.

As a condition of eligibility for unemployment benefits you may be required to complete online workshops, participate in an in-person **Re-employment Services and Eligibility Assessment** appointment, attend an in-person workshop, or participate in other activities to assist you in returning to work. Failure to participate could result in a denial of benefits.

Please note the Employment Centers do not have Unemployment Insurance information and cannot help you with your unemployment claim. For unemployment-specific information sign into your "my Unemployment" account at [jobs.utah.gov](http://jobs.utah.gov) and select our Live Chat feature or call the Claims Center.

## **Work Search Requirements**

A primary component of your re-employment plan will be to contact employers. Unless an Unemployment Insurance representative instructs otherwise, you are required to make a good faith effort to seek full-time work each week that you claim benefits, even if you are employed part-time or attend school.

**You should make at least four new full-time job contacts each week.** A new contact means contacting an employer you have not contacted before, or contacting a previously contacted employer on a newly listed job opening. You are required to keep a detailed record of your work search activities, and will be required to provide this information during your weekly filing. You may also be selected at any time for an audit or eligibility review during which you will be asked to provide this information. Your record of employer contacts should include the following:

- Date of contact
- Name of company or other identifying information, such as job reference number
- Company address, phone number, email, web link, or person contacted
- Position title
- Method of contact
- Results of contact

A sample table is located at the back of this pamphlet. **Failure to provide this information may result in a denial of benefits, delayed payment, or possible overpayments and penalties.** (See Fraud and Penalties)

Your efforts must reflect a genuine desire to obtain employment immediately. For additional tools on becoming re-employed, refer to the **Re-employment and Employment Centers** section of this pamphlet.

## **Suitable Work**

You are required to seek and accept all suitable work. The suitability of a job depends on the length of time you have been unemployed. You are allowed time to seek work comparable to that performed during your base period, provided there is a reasonable expectation of obtaining that type of work.

However, as the length of your unemployment increases, you are expected to be willing to make concessions with respect to earnings, working conditions, job duties, and the use of prior training. You are not required to accept work if:

- The job opening is due directly to a strike, lockout, or other labor dispute
- The wages, hours or other conditions offered are much less favorable to you than those for similar work in the locality

- As a condition of being employed, you are required to join a labor organization, required to resign from a labor organization or prevented from joining a labor organization

Failure to: (1) accept a referral for suitable work, (2) properly apply for available suitable work, or (3) accept an offer of suitable work may result in a denial of benefits. You must report any failure to seek or accept work to the department for the week in which it occurred, even if you felt the work was not suitable. Improper reporting may constitute fraud. (See **Fraud and Penalties**)

## **Work Registration**

Unless otherwise instructed, you are required to complete all steps of the work registration for job placement assistance with Workforce Services. Your work registration will need to be updated each time you create a new claim or reopen an existing claim. The registration method is online at [jobs.utah.gov](http://jobs.utah.gov), select “Sign In” (in the upper right-hand corner) then “my Unemployment” and choose “Register for Work.” You may also register online at the Employment Center closest to you. If you live in or move to a state other than Utah, you must register with the nearest State Employment Center (for the state you are residing in) and submit proof of registration to Workforce Services. Failure to register within 10 working days of your application for benefits could result in a denial of benefits. (See **Re-employment and Employment Centers**)

By registering with Workforce Services, you gain access to more than 20,000 job openings and are provided with referrals to a variety of online, self-paced workshops that can aid your re-employment efforts.

## **Able to Work/Available to Work**

You must be physically and mentally able to work full-time. If you are ill, injured, on a leave of absence or unable to work for any other reason, you may not be eligible for benefits for that period of time.

You are required to report that you are not available for work when any condition exists that could prevent you from working, accepting work or seeking full-time work. This includes, but is not limited to:

- Applying for/receiving disability
- Hospitalization
- Illness
- In country travel
- Incarceration
- Injury

- Loss of childcare
- Loss of transportation
- School attendance

You may be required to provide evidence of your ability to work, such as a doctor's statement.

**You must be immediately available to accept full-time work. You cannot place unreasonable restrictions on the hours you will work, the wage you will accept, or the distance you will travel to work.**

If your employer is holding your job while you are on an approved leave of absence you will not be considered available for work.

## **Payments/Waiting Week**

Utah law requires that you will not be paid for the first eligible week claimed. This week is referred to as the waiting week. You must file for this week and meet all eligibility requirements in order to establish the claim and receive waiting week credit.

If you meet all the eligibility requirements and file your claim each week, you should receive your first payment about three weeks after you apply for benefits. Payments are not made on the same day each week. If you have not received payment or a disqualification letter after you have filed for four weeks, call the Claims Center.

Funds will not be available in your checking, savings or U.S. Bank Reliacard account for at least two business days after Workforce Services releases the benefits. (See **Weekly Claim Filing Instructions**)

## **Vacation, Holiday, Severance, or Separation Pay**

Severance pay is defined as a payment made by an employer that would not have been made except for the severance of the employment relationship. All vacation, holiday, severance, personal time off (PTO) or separation pay you have received or will receive must be reported to the Claims Center. These types of payments are usually considered earnings. You will not be eligible for waiting-week credit or unemployment benefits for weeks in which those payments equal or exceed your weekly benefit amount.

## **Training/School Approval**

Training or school attendance may interfere with your availability for full-time work and your eligibility for benefits. Any school attendance or training must be reported when you file your weekly claim. This includes training required by an employer. Under limited circumstances, school attendance may be approved while receiving benefits.

## **Refusal of Work**

You must report any failure to accept work even if you think the work is not suitable. This includes:

- Any hours missed from your normal schedule due to circumstances such as illness, travel, or other personal reasons
- Refusal of increased or extra hours offered by a current employer
- Any work offered by a new employer
- Recall by a former employer
- You must also report any job separation that occurs while filing by calling the Claims Center.

## **Foreign Travel**

You may not be eligible for unemployment benefits if you are traveling or residing outside of the United States. You must report any foreign travel when filing your weekly claim. Failure to correctly notify Workforce Services that you were outside of the United States could result in overpayment and penalties. (See **Fraud and Penalties**)

## **Incarceration/Prison or Jail Confinement**

You are required to immediately notify Workforce Services if you are incarcerated. Upon notification, Workforce Services will stop all unemployment benefits until you notify Workforce Services of your release. Failure to notify Workforce Services of your incarceration could result in overpayments and penalties. (See **Fraud and Penalties**)

## **Payment Methods — Direct Deposit or U.S. Bank Reliacard**

All unemployment payments are made electronically. You may choose direct deposit into your own checking or savings account. If you do not select direct deposit a U.S. Bank Reliacard account will be established for you.



The preferred method of payment for benefits is direct deposit into your checking or savings account. You can choose the direct deposit option, or change your bank information online, at [jobs.utah.gov](http://jobs.utah.gov). You may also call the Claims Center to request a form. Workforce Services cannot deposit funds onto pre-paid debit cards. Monthly statements of benefit payments will be available online.

The U.S. Bank Reliacard works much like a standard debit card. With this option, your benefit payments are deposited into a separate account created for you by the card issuer. You access your money by making purchases or withdrawing cash using the card. No credit check or bank account is required. Your U.S. Bank Reliacard will be accepted everywhere Visa debit cards are accepted. A monthly statement of account activity to your U.S. Bank Reliacard account will be available online at [www.usbankreliacard.com](http://www.usbankreliacard.com).

You are advised against using your U.S. Bank Reliacard for ongoing automatic bill pay.

The U.S. Bank Reliacard will be valid for any claim you file for the next two years. Keep it in a safe place since you will be able to use it again if you file during that time. **If you request a new card, you may be charged a replacement fee.**

## **U.S. Bank Reliacard Security**

You will be responsible for securing your U.S. Bank Reliacard. Securing the card means that the card and the card PIN are never kept together. The card should be kept in a secure location, and the card PIN should not be known by anyone but you. If your card security is compromised, you must change your card PIN immediately even if you are not currently filing weekly claims for benefits. If you fail to report the loss of the card and change the card PIN immediately, or fail to secure the card, you will be liable for claims made and money removed from the card.

**If your card is lost or stolen, you must immediately notify U.S. Bank at 1-855-279-1274.**

## **Child Support Deduction**

When there is an agreement signed by you or an order from the court requiring payment to the Utah State Office of Recovery Services for child support payments, your weekly benefit amount may be reduced by up to 50 percent. The Utah State Office of Recovery Services controls the amount of child support withheld from your unemployment benefits. If you have questions concerning the amount being deducted, you must contact the Office of Recovery Services at 801-536-8500.

## **Retirement Deduction**

Retirement income, including disability retirement, may be deducted from your weekly benefit amount.

If you apply for or receive any type of retirement or disability retirement income, you are required to report this information to the Claims Center immediately. After you have reported this information, a notice will be mailed to you if such income is to be deducted from your benefits. Failure to report retirement or disability retirement, or changes in that income, could result in a denial and possible overpayment of benefits. (See **Fraud and Penalties**)

If you receive retroactive retirement income covering a period of time for which you were also paid unemployment benefits, you will be responsible for any overpayment. You will be required to repay Workforce Services the amount of ineligible benefits you received for the period of time covered by the retirement.

## **Tax Liability**

Unemployment benefits are taxable. You may choose to have 10 percent of your weekly benefit amount withheld for federal income taxes and 5 percent for state income taxes. Any taxes withheld are immediately transmitted and reported to the Internal Revenue Service (IRS) and the State Tax Commission. You may change your tax withholding status for future benefits online at [jobs.utah.gov](https://jobs.utah.gov), “Sign In” (in the upper right-hand corner) then “my Unemployment” and “Change Tax Withholding.” You may also change it by contacting the Claims Center.

Workforce Services will send you a notice (Form 1099-G) by January 31 each year stating the benefits paid and tax amounts withheld during the previous year. If you repaid any overpayment, please refer to the instructions on your tax form or call the IRS. This notice, from 2007 through the current year, is available online at <https://jobs.utah.gov/ui/continuedclaims/Status/1099.aspx>. Log in and select “1099 Tax Information.” Make sure Workforce Services has your most recent address, as the form will be mailed to the last address on your claim if you are not opted in for Electronic Correspondence. (See **Address Changes**)

## **Closing a Claim (Back to Work Full Time)**

When you find full-time, permanent employment, you can close your claim by calling the Claims Center to report that you are back to work full-time. The

simplest way for you to close your claim is to stop filing. Workforce Services will automatically close your claim if you:

- Do not file a weekly claim within 27 days from the Saturday of the last week filed
- Report earnings equal to or in excess of your weekly benefit amount for four consecutive weeks

## **Reopening a Closed Claim**

You may reopen your claim online at [jobs.utah.gov](https://jobs.utah.gov) or by calling the Claims Center. Your claim will be reopened effective the Sunday of the week in which you contact Workforce Services. You will need to provide the dates of employment and the names of all companies for whom you have worked, if any, since you last claimed benefits. You will also need to provide the names, addresses, and phone numbers for any out-of-state employers.

## **Eligibility Reviews**

If you are still claiming benefits after three weeks, you may receive a notice to complete an online eligibility review. This review asks basic eligibility questions and requires you to provide your work search contacts. Your benefits may be denied if you:

- Fail to complete the eligibility review
- Fail to submit a list of your employer contacts
- List employer contacts that cannot be verified
- If you have received notice and fail to schedule and participate in a Re-employment Services and Eligibility Assessment appointment

## **Audit of Your Claim**

Claims are randomly selected for audits each week. Auditors verify anything that affects Unemployment Insurance eligibility including work search, base period wages, job separation(s), school attendance, and work and earnings during any weeks filed. If you are selected for an audit and fail to participate as required, your benefits may be denied.

## **Eligibility/Denial of Benefits**

**Even though you may have earned enough to qualify for benefits, you must meet other requirements to be eligible to receive those benefits.** For example: If you quit or were fired from your job, an Unemployment Insurance representative will request information from you and your employer and will determine your eligibility for benefits.

If your separation from employment was for qualifying reasons as defined by Unemployment Insurance law, you will begin to receive benefits for weeks claimed if there are no other issues on your claim. If you are denied benefits, you will receive a written decision giving the dates of and reason for the denial. Read it carefully. It will include instructions for filing a timely appeal. Failure to file a timely appeal may prevent you from having the original decision changed.

You may be denied benefits if you:

- Quit or were discharged from your job
- Are unemployed due to a strike
- Are not able or available for and actively seeking full-time work
- Refuse or fail to apply for suitable work
- Have earnings equal to or more than your weekly benefit amount (this includes wages, vacation, holiday or separation pay)
- Are self-employed or working on a commission basis

This list does not include all the reasons for which benefits may be denied.

## **Overpayments**

If you are paid benefits to which you were not entitled, an overpayment is created. An overpayment notice may accompany or follow a notice of denial and will contain repayment and appeal instructions. Benefit overpayments are established for the total weekly benefit amount including any deductions such as child support or taxes.

You should immediately contact the Collections Department at 801-526-9235 as instructed on the overpayment notice to set up an installment agreement to repay the amount you owe. Failure to do so may result in recovery of the overpayment by garnishment of your federal and/or state tax refunds, wages, or a lien against your property.

If Workforce Services determines that you were not at fault in the creation of an overpayment and you meet the poverty guidelines, you may request a waiver of the non-fault overpayment.

## **Appeals**

You have the right to appeal if you disagree with a decision made on your claim. If you file an appeal a hearing will be scheduled with an Administrative Law Judge. **Make sure you continue to file for benefits each week during the appeal process.** Otherwise, you may not be paid for the weeks you are unemployed even if the appeal is decided in your favor.

Your appeal must be submitted in writing and should state the reason(s) you believe the decision is incorrect. The preferred method to file an appeal is online at [jobs.utah.gov/appeals](http://jobs.utah.gov/appeals). However, you can also fax your appeal to 801-526-9242, or mail your appeal to Appeals Unit, P.O. Box 45244, Salt Lake City, UT 84145-0244.

After you file an appeal, you will receive a notice of hearing along with the information and documents used in making the original decision. Upon receiving the notice of hearing you will be required to immediately contact the Appeals Unit to verify your participation in the hearing and to provide a telephone number where you can be reached at the time of the hearing. **Failure to contact the Appeals Unit prior to the hearing, as instructed in the hearing notice, will result in cancellation of your hearing.** Please read the notice carefully. The hearing notice will contain important information on how to prepare for the hearing, including how to present evidence, documents and witnesses in support of your appeal.

The Unemployment Insurance appeals process does not require that you have legal representation. Most individuals represent themselves. During the hearing, all parties are assisted in presenting their case by the Administrative Law Judge. If you hire someone to represent you, you are responsible to pay any fees. The law requires any non-attorney to submit a written request for approval of fees to the Administrative Law Judge prior to any payment. The fee request form and complete instructions are available online at [jobs.utah.gov/appeals](http://jobs.utah.gov/appeals).

Your employer also has the right to appeal a decision allowing benefits. You will be notified of any appeal related to your benefits so that you can participate in that appeal hearing. If you have questions concerning the appeal process, more information is available online at [jobs.utah.gov/appeals](http://jobs.utah.gov/appeals). You can also call the Appeals Unit at 801-526-9300 or toll free at 1-877-800-0671.

## **Trade Act Benefits**

Trade Act benefits assist workers who become unemployed as a result of (1) foreign imports, or (2), shifts in production or services to a foreign country. If you were laid off for one of these reasons and were included in a petition approved by the U.S. Department of Labor, you may be eligible for these benefits. Trade Act benefits may include:

- Trade Readjustment Allowances (TRA) income support
- Training allowances for full-time or part-time school
- Job-search allowances
- Relocation allowances
- Wage subsidies for workers over 50 years old who become re-employed at a lower wage than the former trade affected employment

If you have questions about your eligibility for these benefits, contact the Claims Center and ask for a Trade Act specialist.

## **Address Changes**

You can change your mailing address, email address, or phone number online at [jobs.utah.gov](http://jobs.utah.gov) or by calling the Claims Center. Critical information that could affect your continuing eligibility will be mailed to the address shown on Workforce Services records unless you opt in for electronic correspondence.

## **Correspondence**

You may choose to get all your Unemployment Insurance correspondence through our Electronic Correspondence Center web page. Electronic correspondence is convenient and easy to use. The advantages of electronic correspondence are:

- Immediate notification
- Ease of responding
- Correspondence history
- Postage savings
- No lost mail

If you opt in for electronic correspondence, it is your responsibility to regularly monitor your electronic inbox. For additional information or to sign up for electronic correspondence, go to [jobs.utah.gov](http://jobs.utah.gov) and select “Sign In” (in the upper right-hand corner) then “my Unemployment” and choose “Electronic Correspondence.”

If you do not choose Electronic Correspondence, all documents will be mailed to your address of record.

## **Online Services**

Answers to most questions about your claim can be found online at [jobs.utah.gov](http://jobs.utah.gov). Select “Sign In” (in the upper right-hand corner) then “my Unemployment” and choose “Frequently Asked Questions.” Please use Workforce Services’ website to:

- File a new claim or reopen an existing claim
- Complete statements when advised after filing a weekly claim
- View or print summary of weekly payments
- View details of deductions and payments made on your claim
- See why no payment was issued
- Change payment method — payments are available only through direct deposit or U.S. Bank Reliacard
- View the balance remaining on your current claim
- Establish or change your PIN/password
- Change address, phone, or email address

- Change federal and state tax status
- View documents through Electronic Correspondence
- View or print a 1099-G to see annual payments and taxes for 2007 or later

## **Tips for Recording Job Search Activities**

An unemployment week starts Sunday at 12:00 a.m. and ends Saturday at 11:59 p.m. All four reported contacts must be made in this “Sunday through Saturday” time period in order to count towards your eligibility. If your claim is selected for review, we may contact the employers you reported to verify the job contacts made. To be prepared for this review, please consider the following:

- When applying through a website remember to document the website address, company offering the job (if available), job title and the job’s ID number. For example: XYZ business.com, Company Name (if different from the website), customer service rep, job #1234
- Just looking at an employer’s website is not a contact. A resume or application has to be sent to the employer through the website for the contact to be considered valid
- Applying to different positions with the same company can count as separate contacts as long as you document the different jobs being applied for. For example: Contact #1 = XYZ Company, office assistant, job #789. Contact #2 = XYZ Company, receptionist, job #9876
- Keep all email confirmations from employers during the time you file for Unemployment Insurance benefits

# Job Search Record

Date	Company Name	Company Contact Information	Position Title	Method of Contact	Results of Contact
Date of contact	Name of the company you contacted for possible work	Company address, phone number, email, website, etc. (include as much detail as possible)	Job title along with job ID#, if available	Name of person you spoke to, email, etc.	I.E., waiting, not hiring, hired



## Earnings Record

Week Worked	Company Name	Company Phone	Hours Worked	Gross Earnings	Type of Work

**Remember that you must report:**

- Full-time, part-time, or temporary work
- Paid training for any employer
- Military reserve or National Guard duty
- Work for non-profit or church
- Self-employment, contract or commission work
- Payment for providing childcare
- Holiday, severance, and vacation pay
- Tips
- Farming income
- Volunteer work
- Cash value of payment in kind

## **Equal Opportunity is the Law**

It is illegal for the Utah Department of Workforce Services, a recipient of federal financial assistance, to discriminate on the following bases:

Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act (WIOA), on the basis of the individual's citizenship status or participation in any WIOA Title I—financially assisted program or activity.

The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIOA Title I—financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

## **WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION:**

If you think that you have been subjected to discrimination under a WIOA Title I—financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either the recipient’s Equal Opportunity Officer or the person whom the recipient has designated for this purpose:

Carolyn Parsons, Equal Opportunity Officer  
Utah Department of Workforce Services  
P.O. Box 45249  
Salt Lake City, UT 84145-0249  
1-844-795-1697 or 801-526-9445  
State Relay 711 or Spanish Relay 1-888-346-3162  
cparsons@utah.gov

or

Director, Civil Rights Center (CRC), U.S. Department of Labor  
200 Constitution Avenue NW, Room N-4123, Washington, DC 20210

or

electronically as directed on the CRC website at [www.dol.gov/crc](http://www.dol.gov/crc).

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above). If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient). If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

State of Utah  
Utah Department of Workforce Services  
UI Claims Center  
P.O. Box 45266  
Salt Lake City, UT 84145-0266

**jobs.utah.gov** 

**OUR MISSION**

The Department of Workforce Services strengthens Utah's economy by supporting the economic stability and quality of the workforce.