

MONETARY ENTITLEMENT

IN GENERAL

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

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

- The wages and employment needed in a “base period” to qualify.
- The period during which UI may be collected, commonly called the “benefit year.”
- The amount payable for a week of total or partial unemployment.
- Dependents allowances.
- Waiting periods.
- The maximum amount of regular UI which a worker may receive in a benefit year.

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

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

BASE PERIOD AND BENEFIT YEAR

As stated above, a worker's benefit rights are determined using wages and employment during a period of time called the base period. Benefits may be paid during a period of time called the benefit year. Workers who exhaust their benefits before the end of a benefit year must wait until a new benefit year is established before they can again draw benefits.

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

MONETARY ENTITLEMENT

TABLE 3-1: WHEN BENEFIT YEAR BEGINS - OTHER THAN THE WEEK A FIRST CLAIM IS FILED

AR	Benefit year begins with the first day of the quarter in which a claim is first filed. As a result, the benefit “year” ranges from 40 to 52 weeks.
NY	Benefit year consists of 53 weeks beginning with the effective date of a valid claim.

BASE PERIODS—The base period is the time period during which wages earned and/or hours/weeks worked are examined to determine a worker’s monetary entitlement to UI. Almost all states use the first 4 of the last 5 completed calendar quarters preceding the filing of the claim as their base period. (Although Nebraska has no law provisions on this matter, its regulations establish its base period as the first 4 of the last 5 completed calendar quarters). Massachusetts uses the four completed calendar quarters preceding the first day of the benefit year.

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

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

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

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

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

State	ABP/EBP	State	ABP/EBP
AK	EBP: BP extended up to 4 quarters if claimant was incapable of working during the greater part of a quarter.	NV	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.
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.	NH	ABP: Last 4 completed quarters.
CT	ABP: Last 4 completed quarters. <u>1/</u> EBP: Last 4 completed quarters preceding sickness or disability. <u>1/</u>	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.
DC	Last 4 completed quarters.	NM	ABP: Last 4 completed quarters.
GA	ABP: Last 4 completed quarters.	NY	ABP: Last 4 completed quarters.

MONETARY ENTITLEMENT

TABLE 3-2: STATES WITH ALTERNATIVE AND EXTENDED BASE PERIODS			
State	ABP/EBP	State	ABP/EBP
HI	ABP: Last 4 completed quarters.	NC	EBP: Up to 4 quarters, if worker has insufficient wages to establish a claim because of a job related injury for which the worker received workers' compensation. ----- ABP: Last 4 completed quarters.
ID	EBP: A worker 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 worker filed a claim within 3 years of the disability and no longer than 6 months after the end of the disability.		
IL	EBP: BP extended up to 1 year if the claimant received temporary total disability under a workers' compensation act or occupational diseases act.	OH	ABP: Last 4 completed quarters.
IN	EBP: Up to 4 quarters preceding the last day the worker was able to work.	OK <u>2/</u>	EBP: 4 quarters prior to regular base period. ----- ABP: Last 4 completed quarters. (Not applicable in any calendar year in which trust fund balance is below a certain level)
IA	EBP: BP extended 3 or more quarters if the worker received workers' compensation or weekly indemnity insurance benefits for 3 or more quarters.	PA	EBP: Last 4 completed quarters immediately preceding the date of the injury if the worker was eligible for workers' compensation during the worker's current BP.
KS	EBP: Last 4 completed quarters preceding the date of qualifying injury.	RI	ABP: Last 4 completed quarters.
KY	EBP: BP extended up to 4 quarters, if a worker due to job-related injury <u>or</u> if a worker who has received workers' compensation files an UI claim within 4 weeks after having received workers' compensation.	SD	EBP: A worker who received temporary total disability payments under a 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 was incurred.
ME	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. ----- ABP: Last 4 completed quarters.	TX	EBP: If an initial claim is filed within 24 months from the date a worker'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.
MA	EBP: BP extended to 52 weeks if claimant received compensation for temporary total disability under a workers' compensation law for more than 7 weeks in BP. ----- ABP: Last 3 quarters, plus any weeks of work in quarter in which claim is filed. (Worker may also elect to use this ABP if it results in a 10% or more increase in WBA.)	VA	ABP: Last 4 completed quarters.
MI	ABP: Last 4 completed quarters if individual fails to meet qualifying wage requirements.	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.
MN	EBP: Up to 4 quarters depending on length of time a worker received compensation for temporary disability under a workers' compensation law.	WA	ABP: Last 4 completed quarters.
MT	EBP: Up to 4 quarters preceding the disability if the claim was filed within 24 months from the date of the worker's disability.	WI	ABP: Last 4 completed quarters.

1/ Provision is active from January 1, 2003 until December 31, 2005.
2/ ABP not in effect in 2005 in OK.

QUALIFYING WAGES OR EMPLOYMENT

All states require a worker to have earned a certain amount of wages or to have worked for a certain period of time (or both) within the base period to be monetarily eligible to receive any UI benefits. Most workers qualify for benefits based on employment and wages in a single state. However, some workers who work in more than one state will not have sufficient employment and wages in any single state to establish monetary eligibility, or would be eligible for a small weekly benefit amount. Since 1971, workers with employment and wages in more than one state can elect to file a claim combining employment and wages earned in all states into a claim filed under a single state's law. The

MONETARY ENTITLEMENT

“paying state” for a combined wage claim combines all base period employment and wages earned under its law with employment and wages transferred from other states to determine the worker’s monetary eligibility under its law. For example, if the worker has earned wages in Illinois and Indiana, the worker may elect to file a combined wage claim using Illinois’ law if the claim is filed in Illinois. Because of the potential of subsequently establishing more than one benefit year in more than one state, federal regulations stipulate that employment and wages transferred from one state to a second state for use in establishing a combined wage claim in that second “paying” state cannot be used twice to establish monetary eligibility. The methods that states use to determine monetary eligibility vary greatly, as described below.

Multiple of High-Quarter Wages—Under this method, workers must earn a certain dollar amount in the quarter with the highest earnings of their base period. Workers must also earn total base-period wages that are a multiple—typically 1.5 of the high quarter wages. For example, if a worker earns \$5,000 in the high quarter, the worker must earn another \$2,500 in the rest of the base period. States require earnings in more than one quarter to minimize the likelihood that workers with high earnings in only one quarter receive benefits. Although monetarily eligible, those workers wouldn’t be substantially attached to the labor market.

Multiple of Weekly Benefit Amount—Under this method, the state first computes the worker’s weekly benefit amount. The worker must have earned a multiple—often 40—of this amount during the base period. For example, if a worker’s weekly benefit amount equals \$100, then the worker will need base period earnings of 40 times \$100—or \$4,000—before any UI would be paid. Most states also require wages in at least two quarters. Some states have weighted schedules that require varying multiples for varying weekly benefits.

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

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

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

TABLE 3-3: BASE PERIOD WAGE AND EMPLOYMENT REQUIREMENTS FOR BENEFITS			
State	Qualifying Formula: Wages or Employment <u>1/</u>	Minimum Wages Needed To Qualify:	
		High Quarter \$	Base Period \$
AL <u>2/</u>	1-1/2 x HQW in BP and qualifies for at least the minimum WBA.	1,057	2,114
AK	Flat amount.		1,000
AZ	1-1/2 x HQW in BP and \$1,500 in one quarter; alternative flat-amount requirement: wages in 2 quarters of BP, wages in 1 quarter sufficient to qualify for the maximum WBA and total BP wages equal to or greater than the taxable wage base (\$7,000).	1,500	2,250
AR <u>3/</u>	27 x WBA in BP.	1,690	1,755
CA	Either \$1,300 in HQ or \$900 in HQ with BP wages equal to 1.25 x HQ.	900	1,125
CO <u>3/</u>	40 x WBA or \$2,500 in BP, whichever is greater.	1,084 (in 2 HQs)	2,500
CT <u>2/</u> <u>3/</u>	40 x WBA in BP.	390	780
DE <u>2/</u>	36 x WBA in BP; if insufficient BP wages, but (36 x WBA) – BP wages ≤ 180, eligible for reduced WBA.		920 (in 2 HQs)
DC	1-1/2 x HQW in BP; \$1,300 in 1 quarter, at least \$1,950 in 2 quarters.	1,300	1,950
FL	1-1/2 x HQW in BP; minimum of \$3,400 in BP.	832	3,400

MONETARY ENTITLEMENT

TABLE 3-3: BASE PERIOD WAGE AND EMPLOYMENT REQUIREMENTS FOR BENEFITS			
State	Qualifying Formula: Wages or Employment <u>1/</u>	Minimum Wages Needed To Qualify:	
		High Quarter \$	Base Period \$
GA	1-1/2 x HQW; alternative: 40 x WBA in BP; wages in 2 quarters of BP.	920	1,600
HI <u>3/</u>	26 x WBA in BP.	85	130
ID	1-1/4 x HQW in BP; minimum HQ wages, determined on July 1, must equal 50% of state minimum wage multiplied by 520 hours.	1,326	1,658
IL	Flat amount (\$1,600). \$440 in quarter outside HQ.	1,160	1,600
IN	1.25 x HQW in BP, and \$1,650 in last 2 quarters of BP and \$2,750 in BP.	1,000	2,750
IA	1.25 x HQW in BP and HQW 3.5% of the statewide AAW; or 1.5 x HQW in BP.	1,058	1,323
KS <u>3/</u>	30 x WBA in BP.	1,978	2,670
KY <u>2/</u>	1-1/2 x HQW in BP and 8 x WBA in last 2 quarters of BP with \$750 outside HQ.	750	2,945
LA	1-1/2 x HQW in BP.	800	1,200
ME <u>3/</u>	2 x AWW in each of 2 different quarters with total wages of 6 x AWW in BP.	1,163 (in each of 2 Qs)	3,487
MD	1-1/2 x HQW in BP; If doesn't meet qualifying requirement for WBA computed on HQW but does for next lower bracket, eligible for lower WBA, stepdown of 6 brackets; the multiple (1-1/2) is not applied to the worker's HQW, but the qualifying amount, shown in a schedule, is computed at the upper limit of each wage bracket (assuming a normal interval at the maximum benefit amount).	576	900
MA	30 x WBA in BP; \$3,000 minimum.		3,000
MI	1-1/2 x HQW in BP; or BP wages equal to 20 times the state AWW and wages in 2 quarters.	1,976	2,964
MN	\$1,000 in HQ and \$250 outside of HQ.	1,000	1,250
MS	40 x WBA in BP, 26 x minimum WBA in HQ.	780	1,200
MO	1-1/2 x HQW in BP and \$1,200 in one quarter; or wages in 2 quarters and BP wages of 1.5 x maximum taxable wage base for that year.	1,200	1,800
MT	1-1/2 x HQW in BP with total BP wages equal to or greater than 7% of the AAW; or 50% of AAW.	2,632	3,948 (in 2 Qs)
NE	\$800 in each of 2 quarters.	800	1,600
NV	1-1/2 x HQW in BP or wages in 3 of the 4 quarters in the BP.	400	600
NH	\$1,400 in each of 2 quarters.	1,400	2,800
NJ	20 weeks at 20 x minimum wage in BP; or 1000 times the state minimum hourly wage.		2,060
NM <u>3/</u>	Wages in 2 quarters.	1,482	
NY	1-1/2 x HQW in BP, wages in 2 quarters.	1,600	2,400
NC <u>3/</u>	6 x AWW in BP.	936	3,749
ND	1-1/2 x HQW in BP.	1,864	2,795
OH	20 weeks, with wages averaging 27.5% of the state AWW in BP.		3,720
OK	1-1/2 x HQW in BP; alternative flat-amount requirement \$13,800 in BP (100% state taxable wage base).	1,000	1,500

MONETARY ENTITLEMENT

TABLE 3-3: BASE PERIOD WAGE AND EMPLOYMENT REQUIREMENTS FOR BENEFITS			
State	Qualifying Formula: Wages or Employment ^{1/}	Minimum Wages Needed To Qualify:	
		High Quarter \$	Base Period \$
OR ^{2/}	1-1/2 x HQW in BP, \$1000 in BP; alternative flat-amount requirement 500 hours. of employment in the BP.	5,227	7,840
PA ^{3/}	16 credit weeks. At least 20% BP wages out of HQ (see table in law).	800	1,320
PR ^{3/}	40 x WBA in BP; 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 stepdown provision. PR has a flat qualifying requirement for agricultural workers.	75	280
RI	1-1/2 x HQW in BP; or 200 x minimum hourly wage in 1 quarter and BP wages at least 400 x the minimum hourly wage.	1,341	2,013
SC	1-1/2 x HQW in BP (minimum 540 HWQ and 900 BPW).	540	900
SD	728 in HQ, 20 x WBA must be outside high quarter.	728	1,288
TN	40 x WBA in BP. Lesser of 6 x WBA or \$900 outside HQ.	780	1,560
TX ^{3/}	37 x WBA in BP.	1,326	1,998
UT	1-1/2 x HQW in BP or 20 weeks of insured work with 5% of the monetary BP wage requirement (8% of state average fiscal year wages in BP, rounded to the higher \$100) in each week.	1,667	2,500
VT	1.4 HQW and \$1,707 in HQ (HQ wages will be adjusted by a percentage increase equal to the percentage increase in the state minimum wage for the prior year).	1,707	2,390
VA	\$2,500 in 2 high quarters.		2,500 (in 2 HQs)
VI	1-1/2 x HQW in BP; alternative flat-amount requirement \$858 in HQ and 39 x WBA in BP.	858	1,287
WA ^{3/}	680 hours in BP.		11,100
WV	Flat amount.		2,200
WI	30 x WBA in BP. 4 x WBA outside HQ.	1,225	1,470
WY	1.4 x HQW in BP. (BPW must be \geq state average annual wage rounded down to lowest \$50.)	1,760	2,200

^{1/} All states require wages in at least 2 quarters of the base period except CA, CO, DE, and MA.
^{2/} Additional monetary requirements in state law result in minimum high quarter and/or base period wages that are higher than what the qualifying formula, alone, would require.
^{3/} See the state's weekly benefit amount formula for the calculation of minimum high quarter wage or base period requirements.

QUALIFYING FOR A SECOND BENEFIT YEAR

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

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	Other	Wages Must Be In Insured Work	State	Subsequent To Beginning Of Preceding Benefit Year	Subsequent To Date Of Last Valid Claim	Other	Wages Must Be In Insured Work
AL	8			X	NE			Insured work in 4 weeks.	X
AK	8				NV	3			
AZ	8				NH	\$700 during or subsequent to benefit year.			X
AR	3			X	NJ	4 weeks of employment.			
CA			Equivalent qualifying wages as in preceding BY.		NM	5			
CO	\$2,000				NY	5			
CT	5, or \$300, whichever is greater.			X	NC	10			X
DE		10		X	ND		10 <u>2/</u>		X
DC	10				OH			3 x AWW and covered employment in 6 weeks.	
FL	3				OK	10			X
GA	10			X	OR	6			
HI	5			X	PA	6			
ID	5-1/2; wages must be in bona fide work.				PR	3; for at least one CQ; but not < \$50.			X
IL	3				RI	80 x the minimum hourly wage.			
IN	8			X	SC	8			Insured work; must be with a single employer
IA	\$250			X	SD	4			X
KS	8			X	TN	5			X
KY			8; last 2 quarters of BP.		TX	6			
LA	6; or 3/13th of HQW, whichever is lesser.			X	UT	6			X
ME	8			X	VT	4			

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	Other	Wages Must Be In Insured Work	State	Subsequent To Beginning Of Preceding Benefit Year	Subsequent To Date Of Last Valid Claim	Other	Wages Must Be In Insured Work
MD	10			X	VA	30 days work or 240 hours.			
MA	3				VI	6			
MI <u>1/</u>					WA	6			
MN	8			X	WV	8			X
MS	8			X	WI	8			X
MO		5; 10 x WBA in non-covered work.		X	WY	8			
MT	6; or 3/13th of HQW, whichever is lesser.			X	<u>1/</u> No additional requirement since the lag period, if any, between BP and BY is too short to qualify for a second BY. <u>2/</u> 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.				

WEEKLY BENEFIT AMOUNT

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

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

METHODS OF COMPUTING WEEKLY BENEFITS

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

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

MONETARY ENTITLEMENT

common multiple used by states.

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

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

Annual-Wage Method—Several states compute the weekly benefit as a percentage of annual wages in the base period. This approach reflects the view that annual wages determine the worker’s standard of living. Most states use a weighted schedule which gives a larger proportion of annual wages to the lower-paid workers to determine their weekly benefit amount.

Average-Weekly-Wage Formula—Several states compute the weekly benefit as a percentage of the worker’s average weekly wages in the base period.

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

TABLE 3-5: WEEKLY BENEFIT AMOUNTS						
State	Method Of Calculating & Formula	Rounding to	Weekly Benefit Amount (\$)		Minimum wages required for maximum WBA (\$)	
			Minimum 1/	Maximum 1/	High quarter	Base period
AL	MQ 1/24 of average wages in 2 high quarters.	Higher \$	45	220	5,257	10,514 in 2 quarters
AK	AW 0.9% - 4.4% BP wages (See table in law.)	Nearest \$	44 - 68	248-320		26,500
AZ	HQ 1/25	Nearest \$	60	240	6,000	9,000
AR	HQ 1/26	Lower \$	65; computed annually at 12% of AWW.	345	8,970	9,315
CA	HQ 1/23-1/26 (If HQ wages < \$1,833, see table in law. Otherwise, 1/26 HQ wages.)	Higher \$	40	450	11,675	14,593
CO	HQ/WW 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 avg. weekly earnings (high formula).	Lower \$	25	370 (low formula) 407 (high formula)	8,017 (low formula) Not applicable (high formula)	16,034 in 2 quarters (low formula) 42,328 (high formula)
CT	MQ/HQ 1/26 wages in 2 HQs + DA; for construction workers, 1/26 of HQ wages + DA.	Lower \$	15 - 30	447 - 522	11,622 in 2 quarters	17,880
DE	MQ 1/46 of wages earned in highest 2 quarters.	Lower \$	20	330	7,590	15,180 in 2 quarters
DC	HQ 1/26.	Lower \$	50	359	9,334	14,001

MONETARY ENTITLEMENT

TABLE 3-5: WEEKLY BENEFIT AMOUNTS

State	Method Of Calculating & Formula	Rounding to	Weekly Benefit Amount (\$)		Minimum wages required for maximum WBA (\$)	
			Minimum 1/	Maximum 1/	High quarter	Base period
FL	HQ 1/26	Lower \$	32	275	7,150	10,725
GA	MQ 1/46 wages in 2 HQs; computed as 1/23 of HQ wages when alternative qualifying wages are used.	Lower \$	40	300	6,900 (alternative qualification)	12,000 (alternative qualification)
HI	HQ 1/21	Higher \$	5	436	9,156	11,336
ID	HQ 1/26	Lower \$	51	325	8,450	10,563
IL	MQ 48% of the claimant's wages in highest 2 quarters divided by 26 +DA.	Higher \$	51-57	336 - 456	9074	18,147 in 2 quarters
IN	HQ 5% of the first \$2,000 in HQ wage credits and 4 % of the remaining HQ wage credits.	Lower \$	50	369	8,733	10,916
IA	HQ 1/19 (4 or more dependents) - 1/23 (no dependents)	Lower \$	46 - 56	310 - 381	7,130	8,913
KS	HQ 4.25%	Lower \$	89; computed annually at 25% of maximum WBA.	359	7978	10,770
KY	AW 1.3078% BP wages	Nearest \$	39	365	18,582	27,872
LA	MQ 1/25 of the average wages in 4 quarters of BP.	Lower \$	10	258; computed annually at 66 2/3% of state-wide AWW.	17,200	25,800
ME	MQ 1/22 average 2 HQ wages + DA. (see table in law)	Lower \$	52 - 78	302 - 453	6,644	13,288 in 2 quarters
MD	HQ 1/24 + DA.	Higher \$	25 - 65	310; same with or without dependents.	7,416	11,160
MA	MQ 50% of 1/26 2 HQ wages up to 57.5% state AWW (1/13 HQ if wages only in 2 Qs) + DA.	Lower \$	29 - 43	528 - 778	6,864	13,728 in 2 quarters
MI	HQ 4.1% + DA	Lower \$	81 - 111	362	8,830	13,244
MN	HQ/WW The higher of 50% of 1/52 BP wages up to 66-2/3% of the state AWW, or 50% of 1/13 HQ up to 45% of the state's AWW.	Lower \$	38	493	12,818	13,068
MS	HQ 1/26	Lower \$	30	210	5,460	8,400
MO	HQ 4.0%	Lower \$	48	250	6,250	9,375
MT	AW/MQ 1.0% BP wages or 1.9% of wages in highest 2 quarters.	Lower \$	75; computed annually at 15% of AWW.	335		17,632 in 2 quarters.
NE	HQ 1/26	Lower \$	30	288	7,488	8,288
NV	HQ 1/25	Lower \$	16	329	8,225	12,338
NH	AW 1.0% - 1.1%BP wages (see table in law)	Nearest \$	32	372	9125	36,500

MONETARY ENTITLEMENT

TABLE 3-5: WEEKLY BENEFIT AMOUNTS

State	Method Of Calculating & Formula	Rounding to	Weekly Benefit Amount (\$)		Minimum wages required for maximum WBA (\$)	
			Minimum 1/	Maximum 1/	High quarter	Base period
NJ	WW 60% (base weeks' wages/ number of base weeks) + DA.	Lower \$	61-70	503; same with or without dependents.		16,767
NM	HQ 1/26 + DA	Lower \$	57-73; computed annually at 10% of AWW.	300 - 350	7,800	
NY	HQ 1/26; 1/25 if HQW less than \$3,575.	Nearest \$	40	405	10,518	15,777
NC	HQ 1/26	Lower \$	36	426	11,076	16,614
ND	MQ 1/65 of (total wages earned in highest 2 quarters and ½ of total wages in third highest quarter).	Lower \$	43	324	14,040	21,060
OH	WW 50% (wages in qualified weeks in BP / number of such weeks) + DA.	Lower \$	93	331 - 446		13,240
OK	HQ 1/23	Lower \$	16	292	6,716	10,074
OR	AW 1.25% BP wages	Lower \$	98; computed annually at 15% of AWW.	419	22,347	33,520
PA	HQ 1/23 - 1/25 + DA (see table in law)	Lower \$	35 - 43	478 - 486	11,882	19,033
PR	HQ 1/11 - 1/26	Lower \$	7	133	3,442	5,320
RI	HQ 4.62% + DA	Lower \$	62-112	462 - 577	10,000	15,000
SC	HQ 1/26	Lower \$	20	292	7,592	11,388
SD	HQ 1/26	Lower \$	28	256	6,656	11,776
TN	MQ 3/ 1/26 of average of 2 HQs (see table in law)	Lower \$	30	275	7,150	14,300
TX	HQ 1/25	Higher \$	54	336	8,376	12,432
UT	HQ 1/26	Lower \$	24	371	9,646	14,439
VT	MQ Wages in the 2 highest quarters divided by 45.	Nearest \$	42	371	11,190	16,673 in 2 quarters
VA	MQ 1/50 2 HQs	Higher \$	50	326		16,301 in 2 quarters
VI	HQ 1/26	Lower \$	33	387	10,062	15,093
WA	AW 1% BP wages	Lower \$	111; computed annually at 15% of AWW.	496		49,600
WV	AW 1% of median wages in worker's wage class. (see table in law)	Lower \$	24	\$366		36,600
WI	HQ 4.0%	Lower \$	49; computed twice yearly; 19% of max. WBA.	329	8,225	11,060

MONETARY ENTITLEMENT

TABLE 3-5: WEEKLY BENEFIT AMOUNTS

State	Method Of Calculating & Formula	Rounding to	Weekly Benefit Amount (\$)		Minimum wages required for maximum WBA (\$)	
			Minimum ^{1/}	Maximum ^{1/}	High quarter	Base period
WY	HQ 4.0%	Lower \$	23	316	7,900	25,500

KEY: HQ: High Quarter Formula MQ: Multi-Quarter Formula AW: Annual Wage Formula WW: Average Weekly Wage Formula

GENERAL NOTE: Since the high quarter and base period wage requirements for the minimum weekly benefit amount are the same as the wage and employment requirements to qualify for benefits, they are not repeated in this table. (See “Wage and Employment Requirements for Benefits” table.)

^{1/} When 2 amounts are given, higher figure includes dependents allowance. Higher figure for minimum WBA includes allowance for 1 dependent child. Higher figure for maximum WBA includes allowances for maximum number of dependents.

^{2/} These amounts are for the low formula only. High formula does not consider quarterly figures.

AUTOMATIC ADJUSTMENTS TO WEEKLY BENEFIT AMOUNTS

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

TABLE 3-6: STATES WITH AUTOMATIC ADJUSTMENT TO BENEFITS AMOUNTS

State	Method Of Computation					% 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					55 (high formula)	50 (low formula)	July 1
CO					X	55		July 1
CT			X			60; based on AWW of production and related workers. May not be increased by more than \$18 in any year.		1 st Sunday in Oct.
DC		X				50		Jan. 1
HI			X			70		Jan. 1
ID	X					60		1 st Sunday in July
IL	X					49.5; for claimants with dependents, maximum is limited to 66-2/3% of state's AWW, which is based on percentage changes from year to year. Maximum for claimants with dependents is limited to 65.5% of state's AWW.		Jan. 1

MONETARY ENTITLEMENT

TABLE 3-6: STATES WITH AUTOMATIC ADJUSTMENT TO BENEFITS AMOUNTS

State	Method Of Computation					% 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			
IA	X					53; for claimants with no dependents. For claimants with dependents, ranges from 55 to 65%.		1 st Sunday in July
KS	X					60	25% of max WBA	July 1
KY	X					62; cannot increase in any year when tax schedule increases from previous year. Year-to-year increases limited depending on fund balance.		July 1
LA		X				66-2/3		Sept. 1
ME	X					52		June 1
MA		X				57.5		1 st Sunday in Oct.
MN	X					Higher of 50% of the worker's AWW in the BP to a maximum of 66-2/3% of the state AWW; or 50% of the worker's AWW during the HQ to a maximum of 50% of the state AWW, or \$331, whichever is higher.		August 1
MT	X					66.5	15	July 1
NV	X					50		July 1
NJ	X					56-2/3		Jan. 1
NM			X			52.5	10	1 st Sunday in Jan.
NC	X					66-2/3		August 1
ND	X					62; 65% of state AWW if trust fund reserves on Oct. 1 are equal to or greater than the required amount and the state's average contribution rate is below the nationwide average for the preceding year.		1 st Sunday in July
OH			X			Percentage used is not specified by law.		1 st Sunday in Jan.
OK	X					The greater of \$197 or 60%, 57.7%, 55%, 52.5% or 50% of state AWW of the second preceding CY, depending on the condition of the fund.		July 1
OR	X					64	15	Week of July 4
PA			X			66-2/3		Jan. 1
PR	X					50		July 1
RI	X					67		July 1

MONETARY ENTITLEMENT

TABLE 3-6: STATES WITH AUTOMATIC ADJUSTMENT TO BENEFITS AMOUNTS								
State	Method Of Computation					% 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			
SC	X					66-2/3		July 1
SD	X					50		July 1
UT			X			62		Jan. 1
VT	X					Percentage not specified by law.		1 st Sunday in July
VI			X			50		Jan. 1
WA	X					70	15	1 st Sunday in July
WV	X					66-2/3		July 1
WY	X					55	4	July 1

WAITING PERIOD

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

TABLE 3-7: STATES WITH INITIAL WAITING PERIOD (IN WEEKS)							
State	Total Unemployment	Partial Unemployment	In New Benefit Year	State	Total Unemployment	Partial Unemployment	In New Benefit Year
AK	1	1		NM	1	1	
AZ	1	1		NY	1	2	
AR	1	1		NC	1; Waived for major industrial disasters.	1	
CA	1; Waiting period may be suspended by the Governor if compliance would prevent, hinder or delay the mitigation of the effects of any state-of-war emergency or state of emergency.		Not to interrupt consecutive weeks of benefits. Waiting-period must be served if, later in the new benefit year, the worker, after obtaining employment, again becomes unemployed. May be served in last week of old year.	ND	1	1	

MONETARY ENTITLEMENT

TABLE 3-7: STATES WITH INITIAL WAITING PERIOD (IN WEEKS)

State	Total Unemployment	Partial Unemployment	In New Benefit Year	State	Total Unemployment	Partial Unemployment	In New Benefit Year
CO	1	1		OH	1; Waived if unemployed due to major disaster declared by the President.	1	
DC	1	1		OK	1	1	
FL	1	1		OR	1	1	
HI	1	1	1	PA	1	1	
ID	1	1		PR	1		1
IL	1	1	May be served in last week of old BY.	RI	1; Waiting period will be suspended if the unemployment is due to a natural disaster or state of emergency.		
IN	1	1		SC	1	1	
KS	1	1	1	SD	1		1
LA	1	1		TN	1; Becomes compensable after 3 consecutive weeks of compensable unemployment immediately following waiting period.		
ME	1	1		TX	1; Compensable after receipt of benefits equaling 3 x WBA.		
MA	1	1		UT	1; Exempt for one week waiting period where the worker is in approved mandatory apprenticeship related training.		
MN	1; Waiting period will not apply if the claimant would have been eligible for disaster benefits, but for the claimant's establishment of a claim.			VA	1; If unemployment caused by employer terminating operations, closing its business or declaring bankruptcy without paying final wages earned.		
MS	1	1	1	VI	1	1	
MO	1; Becomes compensable in 2008, but only when the remaining balance on the claim is ≤ compensable amount for the waiting week.			WA	1	1	
MT	1	1	1	WV	1	1	
NE	1	1					

TABLE 3-8: STATES WITH NO WAITING PERIODS

Alabama	Connecticut	Delaware
Georgia	Iowa	Kentucky
Maryland	Michigan	Nevada
New Hampshire	North Carolina (only for workers affected by major industrial disaster)	Wisconsin
Vermont	Wyoming (for claims filed between July 2, 2002 and June 30, 2005)	

MONETARY ENTITLEMENT

BENEFITS FOR PARTIAL UNEMPLOYMENT

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

A week of total unemployment is commonly defined as a week in which the worker performs no work and with respect to which remuneration is not payable. In Puerto Rico, a worker is deemed totally unemployed if earnings from self-employment are less than 1-1/2 the weekly benefit amount or if no service is performed for a working period of 32 hours or more in a week. In a few states, a worker is considered totally unemployed in a week even though certain small amounts of wages are earned. In most states, a worker is partially unemployed in a week of less than full time work and earnings of less than the weekly benefit amount. In some states, a worker is partially unemployed in a week of less than full-time work when less than the weekly benefit amount plus an allowance is earned, either from odd-job earnings or from any source as indicated in the table below.

The worker's UI payment will generally equal the difference between the weekly benefit amount and earnings. All states disregard some earnings as an inducement to take short-time work.

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

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

TABLE 3-9: 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	State	Definition Of Partial Unemployment: Week Of Less Than Full-Time Work If Earnings Are Less Than:	Earnings Disregarded In Computing Weekly Benefit For Partial Unemployment
AL	WBA	\$15	NE	WBA	½ WBA; full WBA is paid if earnings are less than ½ weekly benefit; ½ WBA is paid if wages are ½ WBA but less than full WBA.
AK	1-1/3 x WBA + \$50	1/4 wages over \$50	NV	WBA	1/4 wages
AZ	WBA	\$30	NH	WBA	30% of WBA
AR	WBA + 2/5 WBA	40% WBA	NJ	WBA + greater of \$5 or 1/5 WBA	1/5 WBA or \$5
CA	WBA	greater of \$25 or 25% of wages	NM	WBA	1/5 WBA; excludes payments for jury service.
CO	WBA	1/4 WBA	NY	Benefits are paid at the rate of 1/4 the WBA for each effective day within a week beginning on Monday. Effective day defined as 4th and each subsequent day of total unemployment in a week in which claimant earns not more than \$300.	
CT	1-1/2 + basic WBA	1/3 wages; includes holiday pay in the remuneration for determining partial benefits.	NC	week of less than 3 customary scheduled full-time days.	10% of AWW in HQ
DE	WBA + greater of \$10 or 50% of WBA	greater of \$10 or 30% WBA	ND	WBA	60% WBA

MONETARY ENTITLEMENT

TABLE 3-9: 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	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
DC	WBA + \$20	1/5 wages	OH	WBA	1/5 WBA
FL	WBA	8 x federal hourly minimum wage	OK	WBA + \$100	\$100
GA	WBA	\$50; excludes payments for jury service.	OR	WBA	1/3 WBA; or 10 x state min. wage; excludes wages from service in the organized militia for training or authorized duty from benefit computation.
HI	WBA	\$50	PA	WBA + 40% of WBA	Greater of \$6 or 40% of WBA
ID	WBA + ½ WBA	½ WBA	PR	1-1/2 x WBA; week in which wages, or remuneration from self-employment, are less than 1-1/2 times claimant's WBA or the claimant performs no service for a working period of 32 hours or more in a week.	WBA
IL	WBA	½ WBA	RI <u>1/</u>	basic WBA	1/5 WBA
IN	WBA	Greater of \$3 or 1/5 WBA from other than base period ERs.	SC	WBA	1/4 WBA
IA	WBA + \$15	1/4 WBA	SD	WBA	1/4 WBA over \$25.
KS	WBA	25% WBA	TN	WBA	Greater of \$50 or 25% of WBA.
KY	1-1/4 x WBA	1/5 wages	TX	WBA + greater of \$5 or 1/4 WBA.	greater of \$5 or 1/4 WBA
LA	WBA	Lesser of ½ WBA or \$50	UT	WBA	30% WBA
ME	WBA + \$5	\$25; excludes wages received by members of the National Guard and organized labor, including base pay and allowances or any amounts received as a volunteer emergency medical services worker.	VT	WBA + \$15	Greater of \$40 or 30% WBA
MD	Augmented WBA.	\$90	VA	WBA	\$25
MA	WBA	1/3 WBA; earnings plus WBA may not equal or exceed the worker's AWW.	VI	1-1/3 x WBA + \$15	25% of wages in excess of \$15
MI	1-1/2 x WBA	For each \$1 earned, WBA is reduced by 50 cents. However, benefits and earnings cannot exceed 1 ½ WBA. Earnings above ½ WBA result in dollar-for-dollar reduction in WBA. If the resulting WBA is zero the weeks of benefits payable are reduced by 1 week.	WA	1-1/3 x WBA + \$5	1/4 wages over \$5

MONETARY ENTITLEMENT

TABLE 3-9: 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	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
MN	WBA	Greater of \$50 or 25% of wages. Excludes up to \$200 in jury pay and wages earned for services performed in National Guard and military reserve; and as a volunteer firefighter or in ambulance services.	WV	WBA + \$61	\$60
MS	WBA	\$40	WI	Any week the worker receives any wages. Also, no worker may be eligible for partial benefits if the benefit payment is less than \$5; or if an employer paid the worker at least 80% of the BP wages or the worker worked for the Employer at least 35 hours in the week at the same or a greater rate of pay as the worker was paid in the HQ	\$30 plus 33% of wages in excess of \$30. Excludes wages received as a volunteer firefighter or voluntary medical technician from benefit computation.
MO	WBA + \$20	\$20; excludes wages from service in the organized militia for training or authorized duty from benefit computation.	WY	Basic WBA	Wages in excess of 50% of WBA
MT	2 x WBA	½ wages over 1/4 WBA			

1/ Has special provision for totally unemployed workers 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 worker'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 is the primary factor in determining the size of the payment a claimant receives each week, some states' laws provide for a dependents allowance above and beyond the basic benefit amount payable. The definition of dependent, for UI purposes, varies from state to state as does the allowance granted. In general, a dependent must be wholly or mainly supported by the worker or living with or receiving regular support from the worker.

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

MONETARY ENTITLEMENT

TABLE 3-10: DEFINITION OF DEPENDENT							
State	Dependent Child Under 18 Unless Otherwise Noted ^{1/}	Older Child Not Able To Work ^{1/}	Nonworking Dependent			Number Of Dependents Fixed For BY	Max. No. Of Dependents
			Spouse	Parent ^{1/}	Brother Or Sister		
AK	Child must be unmarried; must have received more than half the cost of support from claimant or be lawfully in the worker's custody at the time the worker claims the allowance.	X					3
CT	21 if child is fulltime student	X	X				5
IL		X	Spouse must be currently ineligible for benefits in the State because of insufficient BP wages.				2
IA		X	No dependency allowance paid for any week in which spouse earns more than \$120 in gross wages.	X	X	X	4
ME		X	No dependency allowance paid for any week in which spouse is employed full time and is contributing to support of dependents.				>5
MD	16					X	5
MA ^{2/}	Child must be unmarried and by interpretation; 24 if child is fulltime student.	X				X	>5
MI	Must have received more than half the cost of support from claimant for at least 90 consecutive days or for the duration of the parental relationship.	X	X	Parents over age 65 or permanently disabled for gainful employment, brother or sister under 18, orphaned or whose living parents are dependents.		X	>5
NJ	19; child must be unmarried; 22 if child is fulltime student.	X	X			X	3
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.						
OH		X	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				X	5

^{1/} Includes stepchild by statute in all states except ME and MA; adopted child by statute, AK, IL, IN, ME, MD., MI, NJ, OH, RI; and by interpretation, MA; legal guardian, MA, and RI; full-time student, CT, ME, MI, MA, and NJ. Legal parent, MI.

^{2/} Only dependents residing within the U.S., its Territories and possessions.

MONETARY ENTITLEMENT

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

TABLE 3-11: 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 and \$75.	\$15	\$75
IL	\$3-\$120	\$6-\$120	\$6	\$120
IA	\$2-\$29	Schedule \$2-\$71	\$10	\$71
ME	\$10	½ WBA	\$26	\$151
MD	\$8	\$40	\$40	\$0; same maximum WBA with or without dependents.
MA	\$25	½ WBA	\$14	\$250
MI	\$6	\$30	\$30	\$0; same maximum WBA with or without dependents.
NJ	\$4-\$33	7% of WBA for 1 st dependent and 4% for each of the next two dependents.	\$9	\$0; same maximum WBA with or without dependents.
NM	\$15	½ WBA up to \$60.	\$15	\$60
OH	\$1-\$115	Determined by schedule according to the AWW and dependency class.	\$0	\$115
PA	\$5; \$3 for one other dependent.	\$8	\$8	\$8
RI	The greater of \$10 or 5% WBA per dependent, up to 5 dependents.		\$50	\$115

NOTE: Full dependents allowance given for weeks of partial benefits in all states with the following exceptions: MD - Not more than 26 DA payments for dep. may be made in any one BY; MI - No, dependents allowance considered a part of WBA; PA - Not more than 26 DA payments may be made in any one BY. (Workers are partially unemployed if they earn less than the unadjusted weekly benefit amount.)

DURATION OF BENEFITS

When states compute a worker's monetary eligibility for benefits, in addition to calculating the weekly benefit amount, they determine the duration of benefits—how long benefits can be collected. The duration is usually measured as a number of weeks of total unemployment. Maximum weeks of benefits vary from 26 to 30 weeks, most frequently 26 weeks. A few states' laws establish uniform durations of 26 weeks for all workers who meet the qualifying-wage requirements, whereas the rest of the states have variable durations. Uniform duration states are not necessarily "more generous" than the other states because many of these states have comparatively high minimum wage thresholds to

MONETARY ENTITLEMENT

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 - workers to qualify for benefits.

In variable duration states, duration is derived. First, the state determines the limit on total benefits receivable in a benefit year (the maximum entitlement). In most of these states, a worker's benefits are limited to a fraction or percent of base-period wages if it produces an amount less than the specified multiple (usually 26-30) of the worker's weekly benefit amount. The rest of the variable duration states - states using an average-weekly-wage method - set maximum potential benefits as a fraction of weeks worked during the base period. Once the state calculates the maximum entitlement, it divides that amount by the weekly benefit amount to derive the duration. Some states' laws specify both the minimum and maximum duration, in weeks, along with the method of calculating benefit entitlement. Since, in all of these states, the maximum potential benefit may be used in weeks of total or partial unemployment, workers can collect benefits longer than their stated duration (until they have collected their maximum entitlement).

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

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

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

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

The following table describes how each variable duration state calculates the duration of benefits a worker is eligible to receive, and, for all states, the minimum and maximum potential benefits, duration, and wage credits needed to qualify for the maximum duration of the maximum weekly benefit amount.

TABLE 3-12: BENEFIT ENTITLEMENT & DURATION OF BENEFITS 1/						
State	Formula for Calculating Benefit Entitlement	Minimum Potential Benefits: Amount (\$)	Maximum Potential Benefits			Duration (Weeks)
			Amounts (\$) 2/	Wage credits required		
				High quarter (\$)	Base period (\$)	
AL	Lesser of 26 x WBA and 1/3 BPW.	704	5,720	5,257	17,160	15 – 26
AK	Ratio of annual wages to HQW—from less than 1.50 to 3.5 or more.	704	6,448 - 8,320	Annual-wage formula; no required amount of wages in HQ.	26,500	16 – 26
AZ	Lesser of 26 x WBA and 1/3 BPW.	750	6,240	6,000	18,720	12 – 26
AR	Lesser of 26 x WBA and 1/3 BPW.	585	8,970	8,970	26,,910	9 – 26
CA	Lesser of 26 x WBA and ½ BPW.	562	11,700	11,675	23,400	14 – 26
CO	Lesser of 26 x WBA and 1/3 wage credits in BP.	325	10,582	N/A: highest quarter does not apply to the formula that yields the maximum potential benefits.	42,328	13 – 26
CT	N/A: Uniform duration state.	390	11,622 – 13,572	11,622	17,880	26 uniform
DE	Lesser of 26 x WBA and ½ BPW.	480	8,580		17,160	24 – 26
DC	Lesser of 26 x WBA and 50% BPW.	975	9,334	9,334	18,668	19 – 26

MONETARY ENTITLEMENT

TABLE 3-12: BENEFIT ENTITLEMENT & DURATION OF BENEFITS 1/

State	Formula for Calculating Benefit Entitlement	Minimum Potential Benefits: Amount (\$)	Maximum Potential Benefits			Duration (Weeks)
			Amounts (\$) 2/	Wage credits required		
				High quarter (\$)	Base period (\$)	
FL	25% BPW up to \$7150.	850	7,150	7,150	28,600	9 – 26
GA	Lesser of 26 x WBA and 1/4 BPW.	400	7,800	6,900	31,200	9 – 26
HI	N/A: Uniform duration state.	130	11,336	9,156	11,336	26 uniform
ID	Ratio of BPW to HQW--from 1.25 to 3.25.	510	8,450	8,450	27,463	10 – 26
IL	N/A: Uniform duration state. (Claimants are eligible for the lesser of 26 weeks of benefits or their total BP wages.)	1,326	8,736 - 11,856	9,074	18,147	26 uniform
IN	Lesser of 26 x WBA and 28% of BP wage credits; only specified amount of wages per quarter may be used for computing duration of benefits: \$8,733.	400	9,594	8,733	34,265	8 – 26
IA	Lesser of 26 x WBA and 1/3 BPW.; If laid off due to employer going out of business, ½ of wages in BP up to 39 weeks.	441	8,060 – 9,906	7,130	24,180	9 – 26
KS	Lesser of 26 x WBA and 1/3 BPW.	890	9,334	7,978	28,002	10 – 26
KY	Lesser of 26 x WBA and 1/3 BPW.	585	9,490	18,980	28,470	15 – 26
LA	Lesser of 26 x WBA and 27% BPW.	210	6,708	16,563	24,844	21 – 26
ME	Lesser of 26 x WBA and 1/3 BPW.	728	7,852 - 11,778	6644 in each of 2 Qs	23,556	14 – 26
MD	N/A: Uniform duration state.	650	8,060; same maximum with or without deps.	7,416	11,160	26 uniform
MA	Lesser of 30 x WBA and 36% BPW. (Reduced to 26 x WBA if average local unemployment rate ≤ 5.1%.)	1080	15,840 - 23,340	11,000	44,000	10 – 30
MI	43% BPW.	1,274	9,412; same maximum with or without deps.	\$14,593	21,889	14 – 26
MN	Lesser of 26 x WBA and 1/3 BPW.	416	12,818	12,818	38,454	10 – 26
MS	Lesser of 26 x WBA and 1/3 BPW.	400	5,460	5,460	16,380	13 – 26
MO	Lesser of 26 x WBA and 1/3 BPW.	600	6,500	6,250	19,500	12 – 26
MT	Ratio of BPW to HQW—from 1.0 to 3.50 or greater (See schedule in law.)	600	9,380	Annual-wage formula; no required amount of wages in HQ.	33,500	8 – 28 3/
NE	Lesser of 26 x WBA and 1/3 BPW.	534	7,488	7,488	22,464	17 – 26
NV	Lesser of 26 x WBA and 1/3 BPW.	200	8,554	8,225	25,662	12 – 26
NH	N/A: Uniform duration state.	832	9,672	9,125	36,500	26 uniform
NJ	Lesser of 26 x WBA and (¼ weeks worked in BP x WBA).	915	13,078; same maximum with or without deps.		29,343	1 – 26
NM	Lesser of 26 x WBA and 60% BPW.	889	7,800 – 9,100	7,800	13,000	15 – 26
NY	N/A: Uniform duration state.	1,040	10,530	10,518	15,777	26 uniform

MONETARY ENTITLEMENT

TABLE 3-12: BENEFIT ENTITLEMENT & DURATION OF BENEFITS ^{1/}

State	Formula for Calculating Benefit Entitlement	Minimum Potential Benefits: Amount (\$)	Maximum Potential Benefits			Duration (Weeks)
			Amounts (\$) ^{2/}	Wage credits required		
				High quarter (\$)	Base period (\$)	
NC	(BPW / HQW) x 8-2/3.	468	11,076	11,076	33,228	13 – 26
ND	Ratio of BPW to HQW—from 1.5 to 3.2.	516	8,424	14,040	44,928	12 – 26
OH	Lesser of 26 x WBA and 20 x WBA+ WBA for each credit week in excess of 20. (Credit week = week with wages of at least 37 x minimum wage.)	1,860	8,606 - 11,596		17,212 in 26 weeks	20 – 26
OK	Lesser of 26 x WBA and 50% BPW.	352	7,592	6,616	15,184	22 – 26
OR	Lesser of 26 x WBA and 1/3 BPW.	294	10,894	22,347	33,520	3 – 26
PA	A worker with at least 18 credit weeks is eligible for 26 weeks; with at least 16 credit weeks, 16 weeks. A credit week is one in which claimant earned at least \$50.	560	12,428 - 12,636	11,882	19,033	16 – 26
PR	N/A: Uniform duration state.	182	3,458	3,442	5,320	26 uniform
RI	Lesser of 26 x WBA and 36% BPW.	725	12,012 - 15,002	10,000	33,367	8 – 26
SC	Lesser of 26 x WBA and 1/3 BPW.	300	7,592	7,592	22,776	15 – 26
SD	Lesser of 26 x WBA and 1/3 BPW.	429	6,656	6,656	19,968	15 – 26
TN	Lesser of 26 x WBA and 1/4 BPW.	390	7,150	7,150	28,600	13 – 26
TX	Lesser of 26 x WBA and 27% BPW.	539	8,736	8,376	32,356	9 – 26
UT	27% BPW.	240	9,646	9,646	35,726	10 – 26
VT	N/A: Uniform duration state.	1,092	9,646	11,910	16,673	26 uniform
VA	Lesser of 26 x WBA and 1/4 BPW.	625	8,476		32,601	12 – 26
VI	Lesser of 26 x WBA and 1/3 BPW.	429	10,062	20,124	30,186	13 – 26
WA	Lesser of 30 x WBA and 1/3 BPW.	1,332	14,880		49,600	12 – 30 ^{4/}
WV	N/A: Uniform duration state.	624	9,516		36,600	26 uniform
WI	Lesser of 26 x WBA and 40% BPW.	588	8,554	8,225	21,385	12 – 26
WY	Lesser of 26 x WBA and 30% BPW.	253	8,216	7,900	27,387	11 – 26

GENERAL NOTES: Since the high quarter and base period wage requirements for the minimum duration of the minimum weekly benefit amount are the same as the wage and employment requirements to qualify for benefits, they are not repeated in this table. (See “Wage and Employment Requirements for Benefits” table.) Some states will extend duration under certain circumstances. See chapter 4 for additional information.

^{1/} In states with weighted tables percent of benefits figures at bottom of lowest end of highest wage brackets; in states noted, percentage at other brackets are higher and/or lower than percentage shown.

^{2/} When 2 amounts are given, higher includes dependents.

^{3/} In MT, in order to qualify for 28 weeks, individual’s ratio of total base period wages to HQ wages must be at least 3.5.

^{4/} In WA, drops to the lesser of 26 weeks or 1/3 base period wages if the state unemployment rate falls to 6.8% or below.

MONETARY ENTITLEMENT

SEASONAL EMPLOYMENT AND BENEFITS

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

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

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

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 workers involving hearings and presentation of supporting data. Arkansas law provides that any employer classified as a seasonal employer may request not to be treated as a seasonal employer.

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

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

1. 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 below, 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 worker'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 operating period of 7-8 months.	ME	Some seasonal wages in operating period of seasonal employer.	NC	25 percent or more of base-period wages earned in operating period of seasonal employer.
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.	MA	Some seasonal wages in operating period of seasonal industry.	OH	Some seasonal wages earned in operating period of seasonal employer.

MONETARY ENTITLEMENT

TABLE 3-13: SEASONAL WAGE CREDITS AVAILABLE ONLY DURING SEASON					
CO	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.	PA	Seasonal wages for less than 180 days of work in operating period. Applies only if reasonable assurance of reemployment exists.
IN	Some seasonal wages in operating period of seasonal employer.	MS	Off-season wages of (a) less than 30 times the weekly benefit amount, if worker'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 operating period of 27-36 weeks.	SD	Some wages earned in operating period of seasonal employer.

2. Other states have established differing seasonal provisions, which are listed below.

TABLE 3-14: OTHER SEASONAL PROVISIONS	
DE	Individual with 75% or more of base period earnings in seasonal employment – defined as the processing of agricultural or seafood products - will be eligible only if the individual had been employed in the corresponding month of the base period.
MN	Individual may use seasonal wage credits – defined as employment with a single employer in the recreation or tourist industry that is available for 15 consecutive weeks or less each calendar year – only if individual is able to establish a benefit year without using such seasonal wages. Seasonal wage credits may not be used to establish eligibility outside the normal employment season.
WV	Individual working less than 100 days in seasonal employment is not eligible unless the individual has non-seasonal employment of at least \$100.
WI	Individual working less than 90 days for a seasonal employer is not eligible unless the individual is paid wages of \$500 or more by at least one other employer.

DEDUCTIONS AND WITHHOLDING FROM BENEFITS

Under federal law, UI must be paid to a worker as a matter of right and may not be intercepted to satisfy debts or other obligations. However, federal law provides some exceptions to this requirement and these are discussed below.

OVERPAYMENTS—All states reduce UI otherwise payable to recover earlier overpayments of UI. See the Overpayments chapter for more information on this topic.

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

OVERISSUANCES OF FOOD STAMPS—If the worker owes an uncollected over-issuance of Food Stamps, states may deduct such amount from UI benefits payable. The table below indicates which state laws provide for these deductions. However, all of these states do not necessarily make these deductions; it depends on whether the state UI and Food Stamp agencies have entered into agreements.

TABLE 3-15: STATES WITH AUTHORITY TO DEDUCT FOOD STAMP OVER-ISSUANCES															
State		State		State		State		State		State		State		State	
AL	X	DE	X	IN		MA	X	NV		OH		SC		VI	X
AK		DC		IA	X	MI		NH	X	OK	X	SD	X	VA	X
AZ	X	FL		KS	X	MN		NJ	X	OR		TN	X	WA	
AR	X	GA	X	KY		MS		NM	X	PA		TX	X	WV	X

MONETARY ENTITLEMENT

TABLE 3-15: STATES WITH AUTHORITY TO DEDUCT FOOD STAMP OVER-ISSUANCES															
CA		HI	X	LA	X	MO	X	NY	X	PR		UT	X	WI	
CO	X	ID		ME	X	MT	X	NC		RI		VT	X	WY	X
CT		IL	X	MD		NE	X	ND							

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

TABLE 3-16: WITHHOLDING STATE AND LOCAL INCOME TAX AT CLAIMANT OPTION														
State	State	Local	State	State	Local	State	State	Local	State	State	Local	State	State	Local
AL			HI	X	<u>1/</u>	MI	<u>2/</u>		NC	X		TN	X	X
AK	NA		ID	X		MN	X		ND	X		TX	NA	
AZ	X		IL	X	X	MS	X	X	OH			UT	X	X
AR			IN	X		MO	X	X	OK	<u>2/</u>		VT	<u>2/</u>	
CA			IA	X		MT			OR	X		VI		
CO	X		KS	X	X	NE	X		PA			VA		
CT	X	X	KY	X		NV	NA		PR			WA	NA	
DE	X	X	LA			NH	X	X	RI	X		WV		
DC	X	X	ME	X	X	NJ			SC	X		WI	X	
FL	NA		MD	X		NM	X	X	SD	NA		WY	NA	
GA	X		MA	X		NY	X	X						

NA: No state income tax.
1/ Local income taxes deducted and withheld from the worker's UI for other states and localities.
2/ If federal taxes are elected to be withheld from UI benefits then state taxes will be withheld as well.

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