

HANDBOOK FOR CLAIMANTS

The UI Handbook for Claimants (UCB-10-P) is available for viewing and printing online at:

<http://dwd.wisconsin.gov/uiben/handbook>

READ THIS HANDBOOK: It contains important information and instructions about your eligibility for benefits and how to protect your rights to those benefits under the Wisconsin unemployment insurance law.

YOU ARE RESPONSIBLE FOR KNOWING ALL OF THE INFORMATION PROVIDED IN THIS HANDBOOK. YOU ARE ALSO RESPONSIBLE FOR ANY INACCURATE OR INCOMPLETE INFORMATION THAT YOU PROVIDE.

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For additional information about the UI program, go online at <http://unemployment.wisconsin.gov> or contact a Claims Specialist (see Appendix).

DWD is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format, or need it translated to another language, please call 414-438-7713 or 608-232-0824 or TTY 1-888-393-8914 during business hours.

Why We Need Your Social Security Number and How We Use It: The federal Social Security Act requires that you give us your social security number. It will be used to verify your identity, locate your employer(s) and wages, determine other income, determine eligibility, keep a record of your benefit payments and to gather statistics. We use a matching program to verify your social security number with the Social Security Administration. If you do not provide your social security number, we cannot take your claim.

The authority to require your social security number is found under Internal Revenue Code of 1954, 26 U.S.C. 85, Sections 6011(a), 6050(b), 6109(a), P.L. 98-369, Section 1137(a)(1) and under Wisconsin Statute Section 108.04(2)(e).

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m), Wis. Stats.]. In addition to reporting your income from unemployment to the IRS and WI Dept. of Revenue, we also share information about your claim with other federal and state agencies to help them determine your eligibility for or amounts of benefits payable under their programs. Some of those programs include General Assistance, Food Stamps, Wisconsin Works (W-2), Temporary Assistance for Needy Families, and Medicaid.

Part 1: Security Credentials, Social Security Number (SSN) and Your Address

ONLINE FILING IS REQUIRED IN 2017

If you **file online** using Internet benefit services **you must create** a username and password before you can access the services. Your username and password will be used to identify you. **If you forget your username and/or password, change them immediately following instructions online.**

For help using online services call 414-438-7713 or 608-232-0824 during business hours.

If you file by telephone you must create a PIN. A PIN is a 4-digit number **you make up** before you apply. **Your PIN will be used to allow you to access telephone claim services. If you forget your PIN you should change that information immediately by calling 414-438-7713 or 608-232-0824 during business hours.**

Your PIN, username and password (hereafter referred to as security credentials) and your social security number (SSN) will be used to identify you and must be used when accessing your account by telephone or online.

Create security credentials that you will remember but are hard for others to guess. **Do not give your security credentials to ANYONE.**

You are responsible for all claims filed and all information given to this department using your security credentials and social security number.

If you give your security credentials and/or SSN to another person, or fail to take adequate measures to protect them from use by another person, you are strictly liable to the department for any erroneously paid benefits as a result of such actions and you will be required to repay the benefits.

If you believe someone else knows your security credentials, you must change them immediately, or you shall be strictly liable to the department for any erroneously paid benefits.

Your correct address: It is very important that we have your correct mailing address. We will send you important documents and instructions after you file your claim. If your mail is not delivered to you, your eligibility may be affected or your benefit payments may be delayed.

Part 2: To Reapply for Benefits

When to Apply: You must file an initial claim application in the first week you want to receive an unemployment payment or within 7 days of the end of that calendar week. If you wait to file your claim, you could lose benefits. Your claim does not start until you apply and benefits will not be paid for earlier weeks. The initial claim application is filed in the following situation:

- **You want to start receiving unemployment benefits again.** You must reapply each time you stopped filing weekly claim certifications and want to begin again. You also must reapply when the system does not let you file a weekly claim because the last week you claimed ended more than 14 days earlier. **Remember, your claim does not start again until you reapply. Answer all questions completely and correctly. You could be penalized if you give false information to get benefits. Information you provide may be verified through data matching programs.**

Important

Do not attempt to certify for benefits while you are outside of the United States, a US Territory, or Canada for any reason. Your certification will be blocked and your benefits will be held. Certifying that you are ready, willing, and able to work while you are out of the country or giving your security credentials and/or SSN to another person to certify on your behalf may lead to severe

penalties. These penalties can include overpayment, loss of benefits, monetary penalties, criminal prosecution and prison.

If Your Application Raises an Eligibility

Question: If any of your answers on your application raise a question about whether you can be paid benefits, you may be scheduled for a fact-finding interview or be contacted by telephone or mail.

You must contact or provide information to the department if told to do so, even though your application is considered complete and accepted. **If you do not take part in a fact-finding investigation, you could lose benefits.**

Trade Readjustment Allowances (TRA): The Federal Trade Act was established for workers who lose their jobs due to elements of foreign trade, such as imports or off shoring and includes paying for training, finding new jobs, and paying weekly benefits.

Federal law mandates strict deadlines for receiving benefits and services available from the Trade Program. To be eligible for weekly TRA benefits, you must be enrolled in or waived from TAA training within 26 weeks of the certification date of the Department of Labor petition or within 26 weeks of your last day of work at the Trade certified employer, whichever is later. Failure to meet the deadlines may result in the loss of TRA Payments. For further information, visit <http://dwd.wisconsin.gov/trade>.

Part 3: Filing a Weekly Claim Certification

What is a Weekly Claim Certification? A weekly claim certification is the claim you file for a certain calendar week when you want to receive an unemployment payment for that week. A calendar week for UI purposes always starts on Sunday and ends on Saturday.

When to File: You must file a weekly claim certification **within 14 days** of the end of the calendar week you are claiming, but you cannot file your claim for a week until after the week has ended. The weekly claim hours of operation are available at <http://dwd.wisconsin.gov/uiben/services.htm> (see Appendix).

If you do not give complete information when you file for weekly benefits, the department may reject your claim and mail you a notice with a special telephone number to call to complete your claim. You must call that telephone number within 14 days after it is mailed to you.

Important

The system will not let you file a weekly claim certification for a benefit payment if the last week you claimed ended more than 14 days earlier. When this happens you must reapply to “reactivate” or “reopen” your claim.

ONLINE FILING IS REQUIRED IN 2017

Save time and **FILE ONLINE** at <http://dwd.wi.gov/ClaimsOnline>

Important

Do not attempt to certify for benefits while you are outside of the United States, a US Territory, or Canada for any reason. Your certification will be blocked and your benefits will be held. Certifying that you are ready, willing, and able to work while you are out of the country or giving your security credentials and/or SSN to another person to certify on your behalf may lead to severe penalties. These penalties can include overpayment, loss of benefits, monetary penalties, criminal prosecution and prison.

Filing a Weekly Claim Certification ONLINE:

You will need to answer several questions about the week(s) you are claiming. Take time to answer all questions completely and correctly. It is your

responsibility to fully read each question and follow the instructions to answer each question. **You could be penalized if you give false information to get benefits.**

Each question asked in the ONLINE application contains step by step instructions for answering the question. If you do not understand the question after reading the explanation, contact a claims specialist for help.

If you do not give complete information when you file for weekly benefits ONLINE, the department may reject your claim and mail you a notice with a special telephone number to call to complete your claim. You must call that telephone number within 14 days of the notice being mailed to you.

Important Points to Remember When Filing a Weekly Claim ONLINE:

All questions apply to the specific calendar week for which you are claiming. For example, when asked if you quit a job, you are being asked if you quit during the week you are claiming. If you did not quit during that week, answer "NO."

How You Know Your Weekly Claim Certification Filed ONLINE Is Complete (Claim Acceptance):

You will be instructed that your claim for the week ending (the week you claimed) has been accepted and have the opportunity to print a summary of your claim.

Filing a Weekly Claim Certification by

TELEPHONE: The weekly claim hours of operation and telephone number are available at <http://dwd.wisconsin.gov/uiben/services.htm> (see Appendix). The system tells you which week(s) you can claim by giving the beginning and ending dates of the week. If the last 2 weeks can be claimed, the system takes your claim for the earliest week first. After you claim for the earliest week, the system tells you how to claim the most recent week. The system also tells you if no weeks can be claimed.

You will need to answer several questions about the week(s) that you are claiming. Take time to

answer all questions completely and correctly. **You could be penalized if you give false information to get benefits.**

If you do not give complete information when you file for weekly benefits, the department may reject your claim and mail you a notice with a special telephone number to call to complete your claim. You must call that telephone number within 14 days of the notice being mailed to you.

Important Points to Remember When Filing a Weekly Claim by TELEPHONE:

All questions apply to the specific calendar week for which you are claiming. For example, when asked if you quit a job, you are being asked if you quit during the week you are claiming. If you did not quit during that week, answer "NO."

When you are asked to speak an answer into the telephone, please speak slowly and clearly, and spell any words that have an unusual spelling.

YOU ARE ASKED THE FOLLOWING QUESTIONS WHEN YOU FILE A WEEKLY CLAIM CERTIFICATION BY TELEPHONE:

- **Were you able to work full-time and available for full-time work?**
 - Answer "YES" if you could have and would have worked full-time (32 hours or more per week) if work had been available for you.
 - Answer "NO" if you could not work full-time because you were physically unable to work or you were unavailable for work. For example, you could not accept work with an employer (including your regular employer) because you were sick or injured, on vacation, didn't have a way to get to work, didn't have childcare arrangements, etc.
- **Did you contact at least four employers during the week to try to find work?** (This question is not asked if your work search is waived.)
- **During the week, did you refuse work that was offered to you?**
 - Answer "YES" to this question only if you

- refused an offer of work from an employer you were not working for at the time.
- **During the week, did you miss work that was scheduled for you?**
 - Answer "YES" if you did not work all of the hours that were available for you with your current employer.
- **During the week, did you quit a job or were you fired?**
 - Answer "YES" if you quit, voluntarily terminated, ended your employment for any reason OR you were terminated, discharged, or fired by the employer for any reason other than lack of work.
 - Next you will be asked if you quit a job, answer "YES" if you quit.
 - Next you will be asked if you were fired from a job, answer "YES" if you were fired.
 - Answer "NO" if you were laid off due to lack of work from a job.
- **During the week, did you work or did you receive or will you receive sick pay, bonus pay or commission?**
 - If yes, you will be asked if you worked for or received/will receive sick pay, bonus pay or commission from more than one employer during the week.
 - You will then be told to enter the gross amount of income from each employer, including, sick pay, bonus pay and commissions. Do not include holiday, vacation or dismissal pay here.)
 - After your income has been entered, you will be told to enter the number of hours and the additional minutes for which you received or will receive pay from each employer.
 - You will usually be asked to speak the complete name and address of each employer.
- **Did you receive, or will you receive, holiday pay, vacation pay or dismissal pay for the week?**
 - If yes, you will be asked to enter the gross amount of each type of pay from each employer.
 - After the gross amount of each type of

pay is entered, you will be told to enter the number of hours and the additional minutes for which you received or will receive that type of pay from each employer.

- You will usually be asked to speak the complete name and address of each employer.
- **Are you receiving any disability benefits from Social Security?**
 - Answer "YES" ONLY if you are receiving payments for Social Security Disability Insurance (SSDI).
 - Answer "NO" if you are not receiving SSDI payments OR you have only applied for SSDI.
- **Were you self-employed?**
 - Answer "YES" if you are self-employed or operating your own business, i.e. farming, partnership, LLC or corporation.
 - Answer "NO" if you are selling Avon, Amway, Tupperware, etc. This is normally considered employment and you would report the income as wages. (However, if you feel this is self-employment, answer "YES" and the department will contact you for further information.)
- **If your address has not changed, press 1. If you have changed your address and have not reported the new address to us, press 2.** (If you press 2, you will be asked to enter your zip code and telephone number. Then you will be asked to speak your new address.)

When to Report that You Worked and Earned Wages: You are responsible for any inaccurate or incomplete information that you provide. If you receive more income than you reported, you are responsible to immediately contact the department to correct previously reported earnings. Failure to correctly report all work and earnings could result in overpayments and penalties. (See Part 7: Fraud).

When filing a weekly claim, you must answer "YES" to this question if you performed any work in the week. If you start a shift on Saturday that ends on Sunday, the hours worked and wages earned during that entire shift must be reported on your weekly claim that includes the Saturday.

Hours: Report hours and minutes worked plus the number of hours and minutes for which you received or will receive sick pay for time missed in the week.

Wages: Wages include any type of pay for full-time (32 hours or more per week) or part-time work you do in the week. This includes cash payments, tips, commissions, "working off a bill," etc. Wages also include other payments that you receive for the week like sick pay, worker's compensation, and bonuses or profit sharing. Wages must be reported in the week they are earned, even if they will not be paid until a later week.

- **Worker's Compensation** payments for partial weeks must be reported as wages on the claim for the week to which the payment applies. You must answer "yes" to the question "Did you work?" even if you did not actually perform work in the week. If you receive a Worker's Compensation payment for a full week, contact a Claims Specialist for instructions.
- **Bonuses and profit sharing** income must be reported on your weekly claim the week you are paid the bonus. You must answer "yes" to the question "Did you work?" even if you did not actually perform work in the week.
- **Commission Sales:** There is a special way to report work and wages from commission sales. If you worked, you must report that you worked even if you earned no commissions. If a commission is earned, it must be reported on your weekly claim, usually for the week in which the sale is made. If you start a job that pays a commission as all or part of your wage, you must contact the department before you file another weekly claim certification.

You must report all work, hours, and wages regardless of the amount. Failure to do this may result in overpayment of benefits and penalties, including prosecution.

Do not report the following activities as "work" on your weekly claim certifications, and do not report the income from these activities as wages:

- Self-employment
- Volunteer Fire Fighter or Volunteer Emergency Medical Technician (EMT). (If you are unsure if your services as a fire fighter or EMT are "volunteer," call a Claims Specialist.)
- Jury Duty (Payments made by the court are not reportable; however, if you receive a wage from your employer for time spent serving on Jury Duty, these wages are reportable.)
- Inactive Duty for WI National Guard and Military Reserves (i.e., weekend duty.)

Retirement pay: You must tell us if you have applied for or are receiving a retirement payment, but you do not report the retirement payment as wages on your weekly claim certifications. Your weekly unemployment payments may be reduced if you are receiving a retirement payment. (See Part 6 for more information about Retirement Pay Reductions.)

Instructions for reporting other types of income not mentioned in the claimant handbook are available online at http://dwd.wisconsin.gov/uiben/other_income.htm.

When to Report that You Received Holiday, Vacation or Dismissal Pay: If any of these types of pay have been assigned to the week you are claiming you must answer "YES" to the question did you receive holiday, vacation or dismissal pay and report the gross amount of each type of pay. You must also report the number of hours and additional minutes for which you received or will receive each type of pay assigned to that week. Holiday, vacation and dismissal pay must be

reported for the week to which it is assigned, even if you receive the pay in a later week.

Call your employer if you are uncertain whether these types of pay have been assigned.

How to Report the Correct Employer: In most cases, the weekly claim system will ask you to speak your employer's complete name and address after you enter the amount of income. The system records this information as you speak. Give complete information and speak clearly. **If we cannot understand the recorded information, or if it is incomplete, your telephone claim will be rejected and you will be sent a notice with a special telephone number to call to complete your claim. This will delay your benefits.**

If you worked at a company through a **temporary help agency** you are considered an employee of that agency, not of the client company where you did the work. When the system asks for the name and address of your employer, speak the name and address of the temporary help agency.

If You Make a Mistake When Filing Your Weekly Claim Certification by Telephone: If you think you have given a wrong answer to any question and you have already verified it by pressing 1, **just hang up and start over**. Your weekly claim certification is considered incomplete and is erased if you hang up before the system tells you that your claim has been accepted. The system does not save a record of an incomplete weekly claim certification.

If you think you have given a wrong answer to any question and your claim has already been accepted, you must call a Claims Specialist.

How You Know Your Weekly Claim Certification Filed by Telephone is Complete (Claim Acceptance): Your weekly claim certification is considered completed after the system tells you that your claim has been accepted. **Do not hang up until after the system tells you that your claim has been accepted.**

If You Cannot Complete Your Weekly Claim Certification Filed by Telephone: If you hang up or are disconnected before the system accepts your weekly claim certification, **the information you have given will not be saved. You must call again to file your claim for that week.**

If Your Weekly Claim Certification Filed Online or by Telephone Raises an Eligibility Question: If an eligibility issue is raised, you will be told to call a Claims Specialist within 5 days if you have not already given information about the issue to the department. You will be given a special telephone number to use for this call.

The Claims Specialist may take a short statement from you immediately or you may be asked to provide information at a later date. You may be scheduled for a fact-finding interview or be contacted by telephone or mail. **Even though you are told that your claim has been accepted at the end of the call, you MUST call a Claims Specialist if told to do so. If you do not call a Claims Specialist as you are told, you could lose benefits.**

When to Expect Your Payments: Wisconsin has a waiting week for Unemployment Insurance benefits. For every new benefit year, no benefits are payable for the first week you would otherwise be eligible for benefits. After the waiting week has been claimed, UI payments for subsequent weeks are usually made within 7 days after a completed weekly claim certification has been received (accepted), but payment could be delayed for a number of reasons. For example, an incomplete claim or an eligibility issue will delay payment.

Do not expect to receive your benefit payments on the same day or within the same amount of time each week.

If you do not receive a payment (or an explanation for not receiving a payment) within 7 days of filing a weekly claim certification, you should first check the status online; if you are unable to do so, call the Automated Inquiry System to find out if a payment has been issued. Choose the option (1) which

gives information about your payment for last week.

- If a payment was **not issued** for the week in question, and it has been at least 7 days since you filed your claim for that week, call a Claims Specialist immediately.
- If your payment **was issued** for the week in question **but you have changed your address**, call a Claims Specialist immediately.
- If a payment **was issued** for the week in question and **you have not changed your address, wait until 12 days have passed since the payment was made.** If you still have not received the payment after 12 days have passed, call a Claims Specialist to file a "Missing Check Inquiry."

Cashing Your Own Checks: Only you can endorse and cash your benefit checks. Never endorse the check until you cash it.

Lost or Stolen Checks: If you lose your UI check or if it is stolen, call a Claims Specialist. It takes at least 60 days after filing an inquiry about a lost or stolen check to receive a replacement check, with some exceptions.

Notice Regarding Availability of Checks: The department is phasing out the use of paper checks. Beginning 07/18/2013, if you file a new claim or re-open a current but inactive claim, you can receive payment either by direct deposit or Visa pre-paid debit card, as explained below.

Direct Deposit: You may enroll online by going to **<https://my.unemployment.wisconsin.gov>** and selecting **Payment Method Option** after logging in. You will need your user name and password to access the system. If you have not yet created a user name and password, you must do so to enroll online. For more information about signing up for online services, please visit http://dwd.wisconsin.gov/uiben/faq_online_services.htm.

Another option to enroll is to print and mail a completed Direct Deposit Authorization form (http://dwd.wisconsin.gov/dwd/forms/ui/ucb_9400.htm). You must also provide a voided personal check or a document from your financial institution which clearly identifies the bank routing number and your savings account number to ensure the account number and financial institution's routing number you provide are correct.

Your Direct Deposit Information only needs to be submitted once, unless your bank information changes. You DO NOT need to resubmit a Direct Deposit Authorization each time you file for Unemployment Benefits.

For more information, please see the direct deposit FAQ page (http://dwd.wisconsin.gov/uiben/faq_direct_deposit.htm).

Visa® Pre-Paid Debit Card: If you do not have a bank account or prefer not to use direct deposit, your benefit payments will be deposited onto a Visa pre-paid debit card. The funds are then immediately available, and the card can be used anywhere that Visa debit cards are accepted. You can check payments and current balance, and even pay bills online. For more information about the Visa pre-paid debit card, please see the Visa pre-paid debit card FAQ page (http://dwd.wisconsin.gov/uiben/faq_debit_card.htm).

Changing Your Address: The weekly claim system will ask if your address has changed since your last claim. If it has, follow directions the system provides to change your address. If you are not filing for benefits at the present time but wish to change your address on our records, go online at <https://my.unemployment.wisconsin.gov> or call one of the telephone numbers available at <http://dwd.wisconsin.gov/uiben/services.htm> (see Appendix).

Part 4: Work Search; Registration for Work; Re-employment Services

Work Search - You are required to perform at least four work search actions for each week you want to be paid unemployment benefits, unless the department clearly tells you that your work search is "waived" and you do not have to look for work.

Examples of Valid and Invalid Work Search Actions (list is not all-inclusive):

Valid Work Search Actions

- Mandatory JCW Registration
- Submitting résumé or application to employer
- Taking civil service exam(s)
- Non-mandatory re-employment services
- Registering with placement facility or head hunter
- Posting résumé on employment website
- Meeting with career counselor
- Participating in job interview
- Participating in weekly professional networking group
- Taking WorkKeys exam

Invalid Work Search Actions

- Viewing job leads (but not applying)
- Contacting employer to learn that no openings exist/applications are not being taken
- Submitting application to same employer within 4 week period (unless a new job becomes available/posted)
- Subsequent/duplicate posting of résumés on job search websites (unless part of application for specific job)
- Submitting application for work that is not reasonable considering your training, experience, duration of unemployment, and availability of jobs in your labor market.

You must keep a work search log documenting your work search actions for each week you claim benefits. The work search actions documented should contain enough detail to allow for verification by the department. If the action was a

business or employer contact, details should include the date of contact, position applied for, business/employer name, name and title of person contacted, method of contact, and result of contact. If an application was submitted online, document the information above as well as the website/URL, the job number, and/or save the confirmation received after submission. The department may request evidence of your work search actions at any time. Keep copies of your work search logs for 52 weeks.

If you file your weekly claims online, you will submit your work search actions directly into the application when completing your weekly claim. **To file online, go to <https://my.unemployment.wisconsin.gov>.**

If you file your weekly claim by telephone, you must submit your work search log for the week by mail or fax. Send a copy of your work search record for the week claimed by:

Mail: PO Box 7905, Madison, WI 53707
or
Fax: 608-327-6499.

No payment will be released until your work search log has been received and validated by the department. If you need work search instructions or a sample of the work search log, go to <https://my.unemployment.wisconsin.gov> logon using your username and password, and click on the "get work search log" link. If you do not have a username and password, you will have the chance to create one.

Falsely reporting any information on your work search record may be an act of concealment. (See Part 7: Fraud and Quality Control.)

Registration for Work - If you are required to perform a weekly work search **or** if you work less than full-time (32 hours or more per week) you must register for work (which includes completing a résumé) with Wisconsin Job Service online at <https://JobCenterofWisconsin.com/ui> within 14

days of the date you completed your application for UI benefits.

If you fail to register by the deadline provided, you will not be eligible for benefits for any week prior to the date you registered. If you have questions or feel you should be waived from the requirement, contact a Claims Specialist.

If you have previously registered, you must logon to <https://JobCenterofWisconsin.com/ui> to verify that your registration and résumé have not expired.

If you are applying for Wisconsin UI Benefits from another state and Wisconsin tells you to register for work or report in person, you should go to the public employment office nearest your home.

Re-employment Services - Help in Finding Employment:

For re-employment services logon to <http://JobCenterofWisconsin.com> or contact your nearest Job Center. To locate the nearest Job Center call 1-888-258-9966 toll free or search online at <http://JobCenterofWisconsin.com/directory>. If you reside in another state contact the nearest public employment office.

Re-employment Programs: If you are registered with Wisconsin Job Service, are required to seek work, and reside in Wisconsin or a border ZIP code, you are required to complete an online orientation and assessment. When you complete the orientation and assessment, you will be notified whether you have additional requirements to participate in re-employment services. Participation in re-employment services is intended to help you return to work faster.

If you fail to participate in the re-employment services, you may lose benefits. If you cannot participate within the deadline given, contact the Job Center immediately to reschedule.

Participation in any of these mandatory re-employment services will satisfy your work search for the week in which you participate. However, attending other employment workshops on your

own can only be considered one work search contact, even if the workshop is conducted by a Job Center.

Part 5: Computing Benefit Entitlement

Weekly Benefit Rate (WBR): The weekly amount of unemployment benefits you are paid when you have no wages or other income during the week. It is 4% of the total high quarter wages from all covered employment.

The "Weekly Benefit Rate Chart" is a listing of all the weekly benefit rates and the amount of high quarter wages needed for each rate. This chart is available online at <http://dwd.wisconsin.gov/uiben/handbook/pdf/wbrchart.pdf>.

Benefit Year: You start a benefit year when you file a new initial claim application. A benefit year lasts 52 weeks. When one benefit year ends, the week that you file your next initial claim application will start a new benefit year. During the 52 weeks of each benefit year, there is a maximum amount of unemployment benefits you can be paid. This is called your maximum benefit amount (MBA). Wages that you earn during a benefit year will not increase your maximum benefit amount or your weekly benefit rate for that benefit year.

Computing Partial UI Benefits for a Weekly Claims When Income was Reported: The department uses the "partial wage formula" to compute whether partial UI benefits are payable and if so, what amount should be paid.

The "partial wage formula" used to compute partial weekly UI benefits is shown below:

1. Subtract \$30.00 from the gross income.
2. Multiply the remainder by .67 (67%).
3. Subtract this new amount (including the cents) from your WBR.

4. Round the remainder down to the nearest whole dollar. This is the amount of partial UI benefits payable for the week.

NOTE: The smallest UI payment that we will issue is \$5.00, so if your calculation results in an amount which is less than \$5.00, no payment will be made.

Example: WBR=\$200 Gross Income=\$250

1. \$250.00 (Gross Income) minus \$30 = \$220.00
2. \$220.00 multiplied by .67 = \$147.40
3. \$200.00 (WBR) minus \$147.40 = \$52.60
4. Round \$52.60 down to \$52.00.

\$52.00 is the amount of benefits payable for the week.

If you are not sure if you have too much income for a particular week to be eligible for a partial UI payment, you should file a claim for the week and report all of your gross income. The department will determine if any benefits are due.

The "Maximum Weekly Earnings Chart" is a listing of the maximum weekly earnings amount for each weekly benefit rate. This chart is available online at <http://dwd.wisconsin.gov/uiben/handbook/pdf/mwechart.pdf>.

No benefits are payable for any week in which you have earnings and/or holiday, vacation, dismissal/termination or sick pay that exceeds \$500 or if you worked 32 hours or more in the week.

Verifying Your Earning: The income you report on a weekly claim certification is verified with your employer(s) but your payment is not held while we are waiting for the employer(s) to answer. We will issue your UI payment for the week based on the amount(s) you have reported. If an employer gives us a different amount than you reported on your weekly claim certification, we will use the amount reported by your employer to recalculate the benefits due. We send you notice of each adjustment. When your employer reports a lower amount of income we send you an additional

payment and an informational message (Form UCB-171) that explains the payment.

When your employer reports higher income amounts and you have been overpaid benefits, we will send you a Notice of Benefit Overpayment (Form UCB-37). If you disagree with the amount the employer has reported or disagree with the requirement to repay, follow the instructions on the form to file an objection.

Child Support Deductions: If the department receives a child support order from a child support enforcement agency, we must withhold money from your payment to satisfy the obligation. The withheld funds are sent to the child support enforcement agency for distribution. You are advised, in writing, when we receive an order to make this deduction. If you disagree with the amount or feel the order is incorrect in any way, contact the child support agency. Only the child support agency can change or stop the deduction.

Part 6: Eligibility Issues

What is an Eligibility Issue? An eligibility issue is any information or set of circumstances which raises a legal question about whether you should be paid UI benefits, and which can deny, suspend or reduce your benefits under the unemployment insurance laws. The department must investigate all relevant eligibility issues which apply to your claim before paying UI benefits.

We must hold your payments while we are investigating eligibility issues on your claim. However, while we are conducting the investigation, it is important that you continue to file your weekly claim certifications.

If you are told to call a Claims Specialist about a potential eligibility issue, call immediately. If you do not call, you may lose benefits.

You and your employer will be given the opportunity to present facts before a decision is

made. If you fail to contact or provide information to the department when directed, or miss a scheduled interview, a decision will be made using the facts available and **you could lose benefits**.

After the investigation of an eligibility issue is completed, you are notified of the decision in writing.

If either you or your employer appeal a determination, CONTINUE TO FILE your weekly claim certifications each week you are unemployed or are earning less than your maximum earnings amount. Any future decision in your favor will only qualify you for benefits for weeks which have been claimed.

Common Disqualifications: Even if you have been paid enough wages from covered employment to qualify for unemployment benefits, you will not receive benefits if you:

- quit a job without good cause. UI law suspends your benefits until you earn 6 times your WBR.
- are fired for misconduct. UI law removes that employer's base period wages from the calculation of your MBA and also suspends your benefits for 7 weeks and until you earn 14 times your WBR.
- are fired for substantial fault. UI law suspends your benefits for 7 weeks and until you earn 14 times your WBR.
- refuse work without good cause. UI law suspends your benefits until you earn 6 times your WBR.
- fail to make an acceptable work search for any week that one is required.
- are working and claiming benefits and do not do all the work available during a week. UI law adds the income you could have earned to what you did earn to calculate your benefits

due. If you miss more than 16 hours in a week no benefits are payable for that week.

- worked or could have worked a total of 32 or more hours and/or receive/will receive holiday, vacation, dismissal/termination or sick pay for 32 or more hours for all employers in a week you are claiming.
- are not able to work or available for work in a week. The department must investigate any circumstance that restricts your ability or availability for work. Examples include, but are not limited to, the hours you can work, the type of work you can perform and the distance you can travel. Even if you are working you may be disqualified if you are not available for full-time (32 hours or more per week) work.
- are located in a country other than the United States or Canada for more than 48 hours.

Important

Do not attempt to certify for benefits while you are outside of the United States, a US Territory, or Canada for any reason. Your certification will be blocked and your benefits will be held. Certifying that you are ready, willing, and able to work while you are out of the country or giving your security credentials and/or SSN to another person to certify on your behalf may lead to severe penalties. These penalties can include overpayment, loss of benefits, monetary penalties, criminal prosecution and prison.

- are unemployed because of a strike or other labor dispute, other than a lockout. Employees who are not participating in the labor dispute, but become unemployed because of it, may also be ineligible. If you work in covered employment after the start of the strike and you have qualifying wages for a claim based on that employment alone, you may be eligible for benefits while the strike is in progress.
- work for a school only during the normal school year. You are ineligible for benefits based on

school year employment during school vacation periods and between academic terms or years if you have reasonable assurance of returning to similar work after the vacation or at the start of the next term or year. We can pay benefits during these periods from other employers only if you have qualifying wages for a claim based on employment from the other employers alone.

- are receiving Social Security Disability (SSDI) payments. You cannot receive Social Security Disability payments and Unemployment Insurance (UI) benefits concurrently. If you are receiving SSDI you must report this information on your Initial Claim and Weekly Claim certifications.
- are paid by a family corporation, owned or controlled by you or your immediate family in your base period. Your MBA may be reduced. When we calculate your MBA, the wages used from the family corporation employer cannot exceed 10 times the WBR from that employer. This may also apply to a partnership, depending on your relationship to the partners.
- work in excluded employment. Excluded employment is work which is not covered under Wisconsin's UI Law. You cannot be paid unemployment benefits based on that work. Some examples of excluded employment include:
 - Work for an educational institution while a student there.
 - Work as a real estate or insurance salesperson if paid only by commission.

Filing for UI Benefits While a Student: You must tell us if you are a student while you file claims for unemployment benefits. An investigation will be conducted to decide whether you are available for work. You may not have to be available for work while attending school if you are enrolled in a course of study that is considered "approved training."

Pre-Employment Drug Screen: An employing unit may submit to the department information that an individual has either tested positive or refused to submit to a test for the presence of controlled substances as a conditional offer of employment.

If it is determined that you declined to take a drug test or tested positive for a drug screen and the offer was rescinded, the department will presume that you refused suitable work without good cause and benefits will be denied. You may rebut the presumption that you refused suitable work without good cause by, among other things, proving that the work was substantially less favorable to you.

If you do not rebut the presumption, you are ineligible as of the week the job was to begin and until you earn wages in covered employment after the week of the refusal equal to at least 6 times the weekly benefit rate that would have been paid had you not been disqualified. Once you requalify, you are again eligible to receive benefits.

Pre-Employment Positive Drug Test: If you fail a pre-employment drug test you may remain eligible for benefits if you enroll in and comply with a drug treatment program. You will be mailed a letter and a list of treatment providers. You must enroll within 7 days of the date the letter is mailed. You will be required to comply on a weekly basis to maintain eligibility. If no space is available at the time you attempt to enroll, you must certify weekly of an intent to attend treatment when it becomes available and must attend once space does become available. The department will pay the reasonable cost of treatment while you maintain eligibility for unemployment benefits.

Retirement Pay Reduction: You must tell us if you have applied for or are receiving any type of retirement payment. Retirement payments include periodic (such as monthly) and lump sum payments from retirement plans, pensions, annuities, 401(k)'s, 403(b)'s, 457(b)'s, as well as Railroad Retirement Benefits. Social Security Benefits are not treated as a retirement payment.

If all or part of your retirement payment was funded by one of your base period employers, your weekly unemployment payments must be reduced.

If you receive periodic retirement payments (such as monthly) from a base period employer, a weekly reduction amount is computed based only on the part of the payment that was funded by the employer. The weekly reduction amount for persons receiving Railroad Retirement Benefits is based on 50% of the payment.

If you receive a lump sum retirement payment from a base period employer, your unemployment payment will be reduced in the week the pension payment is received based only on the part of the payment that was funded by the employer.

If you roll the payment into another retirement system within 60 days of receiving it your unemployment payments will not be reduced unless you receive payments after the rollover. You must tell us if you have applied for or are receiving payments from the other retirement account after the rollover.

A voluntary retirement may be considered a quit and you may be disqualified even if you're not receiving a retirement payment.

Verifying Employment Eligibility: The Immigration Reform and Control Act of 1986 (P.L. 99-603) requires all employers to verify employment eligibility of new employees. When an employer hires you, the employer will require that you show certain documents to prove your identity and your employment eligibility.

If you are unable to present the documents to your employer within the time frame set by law, your employer must end your employment. Your failure to present the documents to your employer or to this department may affect your eligibility for UI benefits.

Part 7: Fraud and Quality Control

Concealment (Fraud): Failure to report information that affects your eligibility for unemployment benefits may be an act of fraud. Falsely reporting any information on your initial claim application or weekly claim certifications may also be an act of fraud. The penalties for fraud and concealment are severe. They include:

- **Benefit Forfeiture** - concealment in week 42/12 and earlier - Loss of future UI benefits from 1, 3 or 5 times your weekly benefit rate for each act of fraud.
- **Benefit Reduction** - concealment in week 43/12 and later - loss of future UI benefits from 2, 4 or 8 times your weekly benefit rate for each act of fraud. In addition, you will be assessed a penalty which you are required to pay out of pocket. Fraud overpayments established prior to 10/4/15 will have a 15% penalty. Fraud overpayments established 10/4/15 and later will have a 40% penalty. You will be told the amount of the forfeiture/benefit reduction penalty on a determination (Form UCB-20) and the forfeiture/benefit reduction amount will remain in effect for weeks that become payable within 6 years after the date of the determination.
- **Court Fines** - not less than \$100 or more than \$500 for each act of fraud (and a criminal record).
- **Jail** - up to 90 days for each act of fraud (and a criminal record).

In addition to penalties, you must also repay any overpaid benefits.

Multiple detection systems are used to detect people who fail to report working and earning wages while claiming unemployment benefits. To avoid an overpayment and possible penalties,

report your wages in the week the work is performed and the wages are earned.

Overpayment Recovery: If you are paid more UI benefits than you are eligible to receive for any week(s), you will be notified in writing that you have been overpaid. The amount of the overpayment will be automatically deducted from any later UI payment(s) that are payable to you. If there are no later benefits payable or there is still an outstanding overpayment amount after later UI payment(s) are withheld, you will be responsible to repay the balance of the overpayment.

Quality Control Program: The purpose of the Quality Control Program is to detect and reduce error and fraud in the UI program. The records of a sample group of claimants, selected each week at random, are audited by Quality Control staff. We use the information from the audit to test the accuracy of and improve the UI program.

If selected, failure to meet with the investigator and provide complete and accurate information on the questionnaire will result in the suspension of benefits until you do so.

Part 8: Your Unemployment Records

Many claim records are available to view online, including all payments made.

Visit <http://dwd.wisconsin.gov/uiben/online> for more information about using our online services.

If the information you are looking for is not available online, records are available by calling one of the information assistance telephone numbers.

Privacy: Individual claim computer records are available by calling one of the information/assistance telephone numbers. The department will only give information about your claim to you or to the employer that is charged for

benefits. The Privacy Act does not allow us to give information to a family member.

Income Taxes: Unemployment insurance is considered income for federal and state tax purposes. Each year all of your benefit payments are reported to the Internal Revenue Service and the Wisconsin Department of Revenue. You can ask to have state and federal taxes withheld from your unemployment payments or make estimated tax payments.

If you decide to have taxes withheld, we will deduct 10% for federal taxes and/or 5% for state taxes from your weekly benefit payment. To have federal and/or state unemployment taxes withheld, go to <https://my.unemployment.wisconsin.gov> and log on using your user name and password, or call one of the telephone numbers available at <http://dwd.wisconsin.gov/uiben/services.htm> (see Appendix).

To discontinue or change your withholding election log on to <https://my.unemployment.wisconsin.gov> or call one of the telephone numbers available at <http://dwd.wisconsin.gov/uiben/services.htm> (see Appendix).

If you log on to <https://my.unemployment.wisconsin.gov> as of October 1, 2015, you will not be mailed Form 1099-G. Your 1099-G tax form for 2016 will be available online by January 15, 2017. We will store your tax form securely in our system for you to access and print on demand for your records. You can sign up to receive an email alert when your 1099-G tax form is accessible online by visiting <http://dwd.wisconsin.gov/uiben/1099.htm>.

Your 1099-G tax form will include the withholdings from your UI benefit payments for that tax year if you elected to have federal and/or state taxes withheld. If you have any questions about how your UI payments will affect your taxes, contact the IRS or the local office of the Wisconsin Department of Revenue.

WISCONSIN UNEMPLOYMENT BENEFITS

HOURS OF OPERATION

Online Services and Contact Information

ONLINE FILING IS REQUIRED IN 2017

For more information about online services go to: dwd.wi.gov/ClaimsOnline

Apply Online

For a New Claim or to Reopen an Existing Claim

Steps To Apply Online:

1. Type into the internet browser: my.unemployment.wisconsin.gov
2. Read and accept Terms and Conditions
3. Create a username and password
4. Logon to access online benefit services
5. Complete your application

Apply Online During These Times:

Sunday	9:00 AM – 5:00 PM
Monday – Friday	6:00 AM – 7:00 PM
Saturday	9:00 AM – 2:30 PM

File Weekly Claim

For Benefit Payment

Steps To File Weekly Claim Online:

1. Type into the internet browser: my.unemployment.wisconsin.gov
2. Logon to access online benefit services
3. File your weekly claim

File Weekly Claim Online During These Times:

Sunday	9:00 AM – Midnight
Monday – Friday	1:00 AM – Midnight
Saturday	1:00 AM – 3:00 PM

If you are unable to use weekly claim online services, call the automated telephone system at 414-438-5395 or 608-261-9990 during the times listed above.

Get Information

About your Benefit Account

Go Online Today:

1. Type into the internet browser: my.unemployment.wisconsin.gov
2. Logon to receive quick access to:
 - your claim information
 - expanded online features and tools

Online Systems for Information are Available:

Sunday	9:00 AM – Midnight
Monday – Friday	1:00 AM – Midnight
Saturday	1:00 AM – 3:00 PM

If you are unable to use online services, call the automated telephone system at 414-438-7713 or 608-232-0824 during the times listed above.

**For help using online services
call 414-438-7713 or 608-232-0824**

during business hours:

Monday – Friday 7:45 AM – 4:30 PM

Callers may be asked to call back on a specific day of the week.

Report Unemployment Fraud

Go Online Today: dwd.wi.gov/uiben/contac.htm

Or contact a fraud specialist on the UI Fraud Hotline: 1-800-909-9472 during business hours:

Monday – Friday 8:00 AM – 4:00 PM

DWD is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format, or need it translated to another language, please call 414-438-7713 or 608-232-0824 or TTY 1-888-393-8914 during business hours.