

Wisconsin Department of Workforce Development
UNEMPLOYMENT INSURANCE (UI) DIVISION

HANDBOOK FOR CLAIMANTS

Read this handbook and **keep it for future reference.** It contains important information and instructions and will help you to know and protect your rights under the Unemployment Insurance law of the State of Wisconsin.

DWD is an equal opportunity employer and service provider. If you have a disability and need information in an alternate format or need it translated to another language, please call 608-267-8997 or TTY 1-888-393-8914.

Large print copies of this handbook can be obtained by writing to:

**UI Division
P. O. Box 7905
Madison, WI 53707**

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For more detailed information go online to:

<http://unemployment.wisconsin.gov>

or contact a claims specialist at the telephone numbers listed on the back cover.

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: Your Personal Identification Number (PIN)

Your PIN is a 4-digit number **you make up before you apply**. The UI Telephone System and Internet applications will use your PIN and social security number to identify you when you apply. **The same PIN must be used for all UI services.**

Your PIN protects you from having another person file your claim or obtain information about your claim. Make up a PIN that you will

remember but that is unusual enough so others will not guess it. Do not give your PIN to ANYONE. You are responsible for all claims filed and all information given to this department using your Personal Identification Number and Social Security Number.

If you forget your PIN, or believe someone else knows it, you should change your PIN immediately by calling one of the initial claim application telephone numbers and pressing 4 to change your PIN.

Part 2: To Reapply for Benefits

When to Apply: You must file an initial claim application in the first week for which you want to receive an unemployment check 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.**

If Your Application Raises an Eligibility Question: If any of your answers on your Internet or telephone 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 waived from **or** enrolled in TAA training within 8 weeks of the certification date of the Department of Labor petition or within 16 weeks from your last day of work, whichever is later. Failure to meet the deadlines may result in the loss of potential of 104 weeks of TRA Payments.

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 check 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 listed on the back of this handbook.

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 toll-free 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 check if the last week you claimed ended more than 14 days earlier. When this happens you must reapply to “reactivate” or “reopen” your claim.

Filing a Weekly Claim Certification: 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.

There are two procedures that can be used to file a weekly claim certification. The system decides which one you can use. Both procedures are explained below. **Whichever procedure you use, take time to answer all questions completely and correctly. You could be penalized if you give false information to get benefits.**

Regular Procedure: When you have to use the regular procedure to file for a benefit check, you will need to answer several questions about the week that you are claiming. A list of the questions that you will be asked is printed on the following pages.

"Quick Claim" Procedure: The "quick claim" is a much faster way to file your weekly claims. Once you have filed at least one weekly claim using the regular procedure, the system reviews each weekly claim to see if you can use the quick claim procedure for the next week. If you can, you are mailed a copy of the answers you gave on your last claim. A 6-digit confirmation number is printed on this copy. When you file your next weekly claim, the system asks you if your answers for the week you are claiming are the same as those you gave for the previous week. If you answer "YES," you are then asked to confirm this by entering the confirmation number printed on the copy of your prior week's claim. A different confirmation number is assigned for each week.

You will not be sent a copy of the prior week's claim and cannot file a quick claim if:

- you reported wages or other income,
- you changed your address, or
- any answer raised an eligibility issue.

You cannot file a quick claim even when you receive a copy of the prior week's claim if:

- any answer to a question for the week you are claiming is different than that shown on the copy of the prior week's claim,
- you do not have the confirmation number from the copy of the prior week's claim, or
- a change was made to the claim since the copy was mailed that now prevents a quick claim from being filed.

If you cannot file a quick claim, simply use the regular procedure to file your weekly claim.

Important Points to Remember

- ✓ **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 USE THE REGULAR PROCEDURE:

- **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 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 two 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 an offer of work or miss work**

that was scheduled for you?

- If yes, you will then be asked if you refused any 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 of the offer.)
- Next you will be asked if you missed work that was scheduled for you. (Answer "YES" to this question 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.

➤ **Did you work during the week?**

- If yes, you will be asked if you worked for more than one employer during the week.
- Next, you will be asked if you worked a total of 40 hours or more during the week. (Only report hours/minutes that you actually worked.)
- Then you will be told to enter the gross amount of wages earned from each employer. (Include sick pay and bonuses but do not include holiday, vacation and dismissal pay as wages.)
- After your wages have been entered, you may be told to enter the number of whole hours and the additional minutes that you worked for 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.
- Then you will usually be asked to speak the complete name and address of each employer.

➤ **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: 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 only hours and minutes of actual work you did during the week.

Wages. Wages include any type of pay for full-time 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. 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 checks 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. 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 toll-free 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 on Your Weekly Claim Certification: 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 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: 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 Raises an Eligibility Question: If an eligibility issue is raised, you will be told to call a Claims Specialist within 3 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 Checks: UI checks are usually mailed to you 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 checks on the same day or within the same amount of time each week.

If you do not receive a check (or an explanation for not receiving a check) within 7 days of filing a weekly claim certification, you should first call the Automated Inquiry System to find out if a check has been issued. Choose the option (1) which gives information about your payment for last week.

- If a check **was not paid** 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 check **was paid** for the week in question **but you have changed your address**, call a Claims Specialist immediately.
- If a check **was paid** for the week in question and **you have not changed your address, wait until 12 days have passed since the check was mailed**. If you still have not received the check 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.

Direct Deposit: UI benefit payments may also be direct deposited into your checking or savings account. You may enroll for direct deposit online at <http://unemployment.wisconsin.gov>, or by completing the Direct Deposit Authorization form which was sent with your Claim Confirmation. The form is also available online at <http://unemployment.wisconsin.gov> or by calling one of the information/assistance telephone numbers listed on the back of this handbook. You must provide a voided personal check or a document from your financial institution which clearly identifies the bank routing number and your checking or savings account number to ensure the account number and financial institution’s routing number you provide are correct. You will be paid by check until your new account information is entered. **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.**

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, you must call one of the initial claim application/assistance numbers and press 3 when the system gives you your choices.

Part 4: Work Search

When You Must Look for Work: You must look for work each week unless the department clearly tells you that your work search is “waived” and that you do not have to look for work.

You must contact two employers every week if you are told that you have to look for work.

You will be told that you do not have to look for work if you are definitely returning to full-time work for a recent employer or if you are a member (in good standing) of a trade union that operates a hiring hall or referral system and has signed an agreement with the department.

In some cases, you will not have to look for work if you are working part-time. **Do not stop looking for work just because you start working part-time.** Call a Claims Specialist to find out if your part-time work allows us to waive your work search.

Remember, if you do not make an adequate search for work, you may lose benefits. If 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.

Weekly Work Search: If you have to look for work, the claim confirmation document will provide you with detailed work search instructions.

The back of the claim confirmation form provides an example of the information needed to document your work search. Be sure to include all of the required information.

We may ask to review your work search, so be sure to keep a good record. Falsely reporting any information on your work search form may be an act of concealment. (See Part 7 for more information about fraud control.)

Help in Finding Employment: For reemployment 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://wisconsinjobcenter.org/directory/>. If you reside in another state contact the nearest public employment office.

Reemployment Programs: If you do not have a recall date to return to work for any employer, you may have to participate in special reemployment programs which are intended to help you find a new job early in your claim.

Participation in any of these required reemployment programs 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.

Once you have been notified, you must participate in these reemployment programs. If you have been scheduled for a reemployment program and you do not go, you may lose benefits. If you cannot attend a scheduled program or have already missed one, contact the Job Center immediately to reschedule.

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." 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 check that we will pay 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 check, 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>.

Verifying Your Earning: The income you report on a weekly claim certification is verified with your employer(s) but your check is not held while we are waiting for the employer(s) to answer. We will pay your UI check 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 check and an informational message (Form UCB-17I) that explains the check.

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 check 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 written 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 for 4 weeks and until you earn 4 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 failing to notify your employer of excessive absenteeism or tardiness. UI law suspends your benefits for 6 weeks and until you earn 6 times your WBR.
- refuse work without good cause. UI law suspends your benefits for 4 weeks and until you earn 4 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.
- work a total of 40 or more hours for all employers in a week you are claiming.
- are working and claiming benefits for a week for which you will be paid at least 35 hours from an employer who paid 80% or more of your total base period wages, and your rate of pay for this week is the same or greater than you were paid by this employer during the high quarter of your base period.
- 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 work.
- 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 paid by a family corporation, owned or controlled by you or your immediate family in your base period. Your maximum benefit amount (MBA) may be reduced. When we calculate your MBA, the wages used from the family corporation employer cannot exceed 10 times the weekly benefit rate (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."

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 checks 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 weekly unemployment checks will also be reduced based only on the part of the payment that was funded by the employer. The department must divide the lump sum payment into weekly amounts to be deducted from your weekly unemployment checks. The weekly reduction amount is equal to your most recent average weekly wage rate with that base period employer. If you roll the payment into another retirement system within 60 days of receiving it your unemployment checks 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** - Loss of future UI benefits from 1, 3 or 5 times your weekly benefit rate for each week of fraud or act of concealment. You will be told the amount of the forfeiture penalty on a written determination (Form UCB-20) and the forfeiture amount will be deducted from the first UI benefit check(s) payable after the determination is issued.
- **Court Fines** - not less than \$100 or more than \$500 for each week of fraud (and a criminal record).
- **Jail** - up to 90 days for each week 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 check(s) that are payable to you. If there are no later benefits payable or there is still an

outstanding overpayment amount after later UI check(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

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 checks 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 check. To have state and/or federal unemployment taxes withheld, call one of the initial claims application telephone numbers listed on the back of the handbook and press 2. You may discontinue your withholding election at any time by calling the same telephone number.

We mail Form 1099-G to your last-known address no later than February 1 of each year. If your address changes, call one of the initial claim application telephone numbers and press 3 to update your

address, even if you are not filing a claim at that time. You can also access your Form 1099-G online at <http://unemployment.wisconsin.gov>. If you elect to have state and/or federal taxes withheld, your Form 1099-G will include the withholdings from your UI benefit checks for that tax year. 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.

Hours of Operation and Telephone Numbers

To File a Weekly Claim Certification for a Benefit Check:

Online: <http://unemployment.wisconsin.gov>

By Telephone:

Madison Area..... 608-261-9990
Milwaukee Area 414-438-5395
Toll Free Number..... 1-800-978-7887

Online and telephone weekly claims systems are available:

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

To Get Information, Assistance or to Talk to a Claims Specialist:

Online: <http://unemployment.wisconsin.gov>

By Telephone:

Madison Area..... 608-232-0824
Milwaukee Area 414-438-7713
Toll Free Number..... 1-800-494-4944

Claims Specialists are available:

Monday – Friday 7:45 AM – 4:30 PM

Online and Automated inquiry systems are available:

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

To File an Initial Claim Application for a New Claim or to Reopen an Existing Claim:

Online: <http://unemployment.wisconsin.gov>

By Telephone:

Madison Area.....608-232-0678
Milwaukee Area414-438-7700
Toll Free Number..... 1-800 UC CLAIM
(1-800-822-5246)

Claims Specialists are available:

Monday – Friday 7:45 AM – 4:30 PM

Online and automated telephone initial claims systems are available:

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

Deaf, hard-of-hearing, and speech-impaired callers may apply online using the Internet address shown above, or they may apply by calling our TTY toll free number. TTY callers must have a telephone typewriter device. Voice calls are not answered on this number.

TTY Toll Free Number: 1-888-393-8914