

What is the unemployment insurance program?

The Iowa unemployment insurance program provides qualified workers temporary income to help them through short periods of unemployment. Employers pay a special tax, which goes into a fund that is used exclusively to pay unemployment claims. This program is administered by the Iowa Department of Workforce Development.

If a worker meets the statutory requirements for unemployment insurance, it is the worker's RIGHT to receive benefits. A worker, however, must meet a number of conditions to qualify for and receive benefits. This booklet is intended to give you a brief overview of important features of the unemployment insurance program.

What are the basic eligibility requirements?

You must be a citizen or permanent legal alien lawfully authorized to work who is either totally or partially unemployed through no fault of your own. You must have worked and earned a certain amount of wages in work covered by unemployment insurance in the last 15 to 18 months. You must have total base-period earnings of at least 1.25 times the wages you earned in your highest base-period quarter. You must have a minimum amount of wages in the high and low quarters of your base period.

For Program Year 7/01/2012-6/30/2013:

High-Quarter Minimum = \$1,360

Low-Quarter Minimum = \$680.

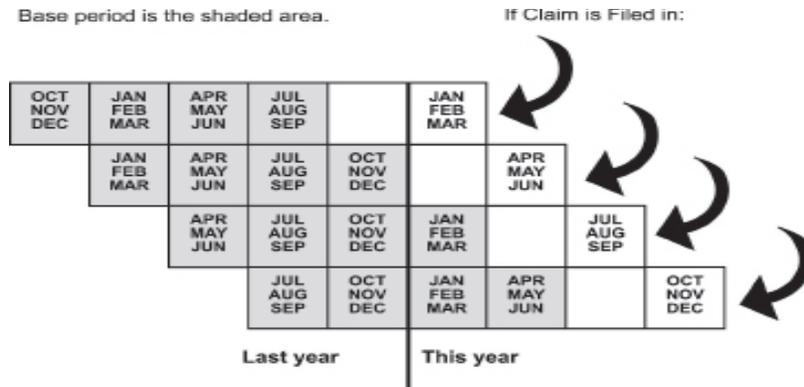
The minimum and maximum amounts change each year for new claims filed after the first Sunday in July. A weekly benefit amount schedule is available upon request at your nearest IowaWORKS Center.

You also must be "able, available, and actively seeking work" for each week for which you will receive benefits.

What is the "base period?"

The base period is a four-quarter (one-year) period of time from which your weekly benefit amount (WBA) and maximum benefit amount (MBA) are determined. The amount of wages you earn in the base period determines the amount of unemployment benefits you receive. The base period is the first four of the last five completed calendar quarters at the time you file your initial claim for benefits. The quarter in which you file your claim and the preceding quarter are called the lag quarters and normally **are not** used to determine your benefits.

Example: If you file a new claim in **April, May, or June** (second quarter), your **base period** would be the preceding January 1 through December 31.



Are there tips I should know before applying for unemployment benefits?

Yes. You should keep the following points in mind:

- You may file an initial claim in one of the following manners: in person at a Workforce Development Center; by telephone at 1-877-891-5344; or online at <http://www.iowaworkforce.org>.
- Be sure to apply no later than the first Friday of your unemployment or you will lose the first week.
- The Workforce Development Center cannot refuse to take your application for benefits.
- You must provide two forms of identification. One should be an original or replacement social security card issued by the Social Security Administration.
- Once you open a claim, your benefit level will be the same for a one-year period.
- If you are laid off, make sure you tell the Workforce Development Center representative that you are laid off and that you were not fired, nor did you quit. Your checks will come sooner if you make it clear that you were laid off.
- There is no waiting period.
- If you have a definite callback date within four weeks or less, make sure that you tell the Workforce Development Center representative. In such a case, you will not have to look for work.

What are the maximum benefits for which I may be eligible?

In Iowa, your weekly benefit amount (WBA) is determined by your gross wages from all covered employers in the high quarter (HQ) of your base period and by the number of dependents you claim. The minimum and maximum WBAs change each year for new claims filed after the first Sunday in July. A WBA schedule is available upon request at your nearest IowaWORKS Center. Your WBA is calculated by the following:

If you have (for program year 7/01/2012 through 6/30/2013):

- **0 dependents**, your WBA is 1/23 of your HQ with a **maximum of \$396**;

- **1 dependent**, your WBA is 1/22 of your HQ with a **maximum of \$411**;
- **2 dependents**, your WBA is 1/21 of your HQ with a **maximum of \$426**;
- **3 dependents**, your WBA is 1/20 of your HQ with a **maximum of \$449**;
- **4+ dependents**, your WBA is 1/19 of your HQ with a **maximum of \$486**.

Example: If your HQ earnings are \$9,042 and you have one dependent, your WBA is \$411 ($\$9,042/22 = \411).

The **maximum benefit amount** (MBA) during your benefit year is **26 times** your weekly benefit amount (WBA) or **one-third** of your total base-period wages, **whichever is less**. All unemployment insurance benefits are fully taxable on your federal and state income taxes. You have the option of having federal and/or state taxes withheld from your benefit payments.

Who are the dependents?

You are not considered a dependent. Generally, dependents are the same individuals you can lawfully claim as dependents for federal and state income tax purposes. Note, (1) if your spouse has gross earnings of more than \$120.00 per week, you cannot claim your spouse as a dependent and (2) you cannot claim as a dependent an individual who someone else has claimed on a current unemployment claim.

What should I expect after filing my claim for benefits?

The procedure after you apply is as follows:

- Your most recent employer and all former base-period employers can challenge your benefits at any time within a ten-day period from receiving notice of your claim.
- If challenged, you will receive a pink slip (notice of a fact-finding interview). You should contact your Union office immediately for help. Do not take care of it alone.
- When you get the list of employers and wage credits, check it over carefully to see that it is correct. If it is not right, be sure to notify your Union office.

What if I have exhausted my benefits?

You may be eligible for additional benefits if you have been paid wages for insured work during your base period in an amount at least one and one-half times the wages paid to you during that quarter of your base period in which your wages were highest.

What about extended benefits?

Generally, you are entitled to a maximum of twenty-six weeks of benefits during a benefit year, but you may become eligible for extended benefits after your regular benefits are exhausted if you continue to meet eligibility requirements. If it appears you may qualify for an extension of benefits, a representative will send you a written notice to contact Iowa Workforce Development.

Caution: Job search rules may be and usually are different for receipt of extended benefits. You may be required to expand the frequency of job contacts. Check with your Workforce Development representative.

Will I have to apply for work at the Workforce Development Center?

Most claimants will have to apply for work at the local Workforce Development Center Office. Those who are temporarily laid off are not required to register for work. All others should keep the following points in mind:

- Never put any restriction on what you are willing to do, where you will work, on what shift, or for how much money. Let the Workforce Development Center know that you will consider anything. You can voice a preference, but you need to be sure that the Workforce Development representative knows that you will consider any job offer.
- Watch the small talk. Just a mention of a car problem or childcare problem, etc., could cause your benefits to be challenged.
- Remember, when dealing with the Workforce Development Center, get your business taken care of and get out of there.

Will I have to look for work other than at the Workforce Development Center Office?

Yes. Everyone is required to make a minimum of two job contacts each week unless otherwise specified by Iowa Workforce Development. Keep in mind the following:

- Your work search must be a reasonable and honest effort to find suitable work and you must be willing to accept a reasonable wage in your area for the job for which you are applying.
- Your job contacts must be made between Sunday and Saturday of the week you are claiming benefits. You may make your job contacts in person, by Internet, by on-line applications, mail, or faxing resumes. Telephone calls are not acceptable.
- Repeat or follow-up work searches may be made to the same employer after six weeks from the initial contact.
- You are required to keep a record of your job contacts. You need to include the date of the contact, company name, address, phone number, and the name of the person you contacted.
- Be prepared to prove that you applied for work in person whenever you reported you did. If possible, take someone with you on your job search. Get the name of the person with whom you talked, his/her position, and the date. Ask for a copy of your completed application for your files.
- Do not confine your job search to one area or a single occupation or employer. Apply to a variety of employers and in a variety of occupations.

Must I be able and available every day I am laid off?

You must be able and available for work the majority of each workweek.

What if I am offered a job?

If you are offered a job, you will have to decide if the job is suitable for you. If you turn down suitable employment, you will be disqualified for receipt of further benefits. You should remember the following points:

- In order for a ruling to be made that you turned down “suitable work,” a bona fide offer of work has to be made. A bona fide offer should include wages, hours, type of work to be done, and commencement date of the job.
- The job offered must be within your physical capabilities and must not require any undue physical skill or particular training which you do not already possess. You can demand wages as follows:

Weeks of Unemployment	Percentage of Wage in Highest Quarter
1 to 5	100%
6 to 12	75%
13 to 18	70%
After 18	65%

- If the Workforce Development Center calls and offers you a referral, you must go talk to the employer.
- The Workforce Development Center also considers other factors besides wages when deciding if a job is suitable. If you have a job offer and don’t know what to do, tell the employer you need time to think it over and contact your Union office, Legal Services office, or other knowledgeable persons for advice.
- You are not required to take a job that is vacant as a result of a strike or labor dispute.

What incomes must I report?

You must report all wages earned during the week. You must report wages the week you earn them—not the week you receive them. You must report all vacation pay, severance pay, pay in lieu of notice, employer pension or retirement pay (not disability pay), and temporary worker’s compensation payments. You do not have to report earnings from self-employment or private pensions (e.g., IRA’s to which only you contributed).

How will my unemployment check be affected if I report wages?

Your unemployment check will not be affected if you report wages up to one-fourth of your weekly benefit. Any additional earnings will result in a dollar-for-dollar reduction.

For example, if your benefits are \$396.00 per week and you earn \$99.00 (1/4 of 396), you will still draw \$396.00 in unemployment benefits. If you earn \$100.00, your check will be reduced to \$395.00; if you earn \$101.00, your check will be reduced to \$394.00; and so on.

Will my check be reduced if I receive Social Security?

It is common for workers to work in order to supplement their Social Security retirement benefits. If you are working to supplement your benefits and are laid off, discharged for other

than misconduct or quit due to good cause attributable to your employer, you are entitled to unemployment benefits without a reduction for the Social Security benefits you receive. The same rule applies if you are receiving Social Security disability benefits. (You should note, however, there are limitations on the amounts you can earn from employment if you are receiving Social Security disability benefits. You need to check those limitations with the Social Security Administration.)

What is the effect of receiving other benefits?

The effect of receiving other retirement and disability benefits depends on who is providing the benefit and the specific type of benefit involved. Generally, your weekly unemployment check will be reduced dollar for dollar to the extent a base period employer contributed to the retirement or disability benefit. You should contact your Union, Legal Services, or other knowledgeable person regarding the amount of reduction in the amount of your check in your situation.

How will vacation and severance pay affect my unemployment check?

When severance pay is based on the number of weeks of pay for years of service, regardless of whether it is made in a lump sum or paid on a weekly basis, it is deductible based on the number of weeks the payment represents the hourly rate at the time of separation.

Vacation pay will only be deducted during the first week of the claim, unless the employer designates the period for which the vacation pay is to apply. If the employer so states, the vacation pay will be deducted for that period designated, based on the hourly rate of pay for the number of days represented by the employer.

Vacation bonuses paid in conjunction with vacation pay are not deductible from unemployment benefits.

What are some of the reasons my benefits can be contested?

Once you apply for benefits, your claim can be contested because:

- You were discharged due to misconduct.
- You voluntarily quit without good cause attributable to the employer.
- You turned down suitable work.
- You are not able, available, or actively seeking work.

What is “misconduct?”

Misconduct is a willful act that is not in your employer’s best interest. It must be a current act. Past acts are considered to have been condoned by your continuing employment. The act must be in connection with your employment. Some actions done while off duty and away from your workplace can be deemed to be misconduct. Things that you cannot help are not misconduct—such as the inability to do the job, absences because of sickness, and simple mistakes or errors. If you are fired for misconduct, you will be disqualified from unemployment until you have requalified.

What is “good cause attributable to the employer?”

This issue is very complicated. Under certain circumstances, however, an employee who quits a job may be eligible for benefits. You need some advice from your local Union, Legal Services, or some other knowledgeable person before quitting a job. Here are a few reasons that are **normally** considered to be “good cause attributable to the employer”:

- The employer makes a substantial reduction in your work hours, wages or benefits, requires you to move to another town, or, in some other way, significantly changes your contract of hire. Minor changes in a worker’s routine, however, do not constitute a substantial enough change. The contract of hire does not have to be in written form.
- Unsafe, illegal, and/or intolerable working conditions are reasons for quitting that are attributable to the employer. However, you must have made the employer aware of the situation, and the employer must refuse or fail to correct the conditions.
- Medical reasons are acceptable if a doctor tells you to quit work due to medical reasons. However, you must make your employer aware of the situation, and your employer must fail or refuse to accommodate your medical needs.

Listed below are **just a few** reasons for quitting which are **not** attributable to the employer and will cause disqualification from benefits:

- No transportation to work.
- Inability to get along with other employees.
- Personality conflict with a supervisor.
- Getting married or following a spouse to a new job.
- Quitting your job due to injury or illness, but without the advice of a licensed, practicing physician.
- Absent for three days without giving notice to the employer in violation of a company rule.
- Failing to return to work at the end of a labor dispute.

The penalty for a voluntary quit without good cause attributable to the employer is total disqualification from benefits until you requalify.

Can I safely turn down a job offer made prior to my period of unemployment?

To be disqualified for unemployment benefits for refusing suitable work, an actual refusal must take place after you apply for unemployment. If you are offered a job a week prior to opening your claim and refuse it, you cannot be disqualified for refusing suitable work. If you take a voluntary layoff, you may be disqualified. If, while laid off, you decide to take a vacation for a week and do not ask for benefits that week, you may safely turn down a job. Be sure to report to Workforce Development when you call in to report for the week that you are on vacation and not available. A refusal to bump a junior person does not automatically disqualify you.

How can my claim be contested due to my inability to be able or available for work?

Your claim can be contested at any time for reasons such as the following:

- No transportation.
- Unreasonable restrictions on wages, hours, or working conditions sought.
- Lack of childcare.
- Sickness or injury.
- Vacation.
- Failure to respond to a Workforce Development referral.

Once disqualified, how would I become eligible for benefits again?

If you quit to take a better job and are subsequently terminated by the employer after you accept the position, you have requalified. You do not even have to have started the job.

If you are disqualified for misconduct, voluntary quit, or refusing suitable work, you must return to work and earn ten times your weekly unemployment benefits. **For example**, if you were to receive \$396.00 per week in benefits, you would have to earn \$3,960.00 to requalify for benefits.

If you were disqualified because you were not able, available, or actively seeking work, you must prove to the Workforce Development Center that you are once again able, available, and actively seeking work.

If you voluntarily quit part-time employment, but have not yet requalified following the voluntary quit of the part-time employment, you are not disqualified from receiving unemployment benefits based on wages paid by your regular employer or another base period employer.

What other pointers should I remember?

Here are a few of the more important things to remember:

- If your benefits are contested, be sure to attend all interviews and hearings. Seek help from a knowledgeable source—your Union, Legal Services, or a private attorney.
- If a decision is made against you, make sure you appeal the decision within the time limits set forth in the decision.
- Keep your address on file with the Workforce Development Center. You can be disqualified if you do not respond to a mailed notice to contact the Workforce Development Center.
- Do not sign any statement or form unless you agree with everything on it. Do not be intimidated into signing a statement you do not agree with.
- If you receive a fact-finding interview notice or notice of a hearing, you should request any and all documents submitted prior to the time of the fact-finding interview or hearing. You must do this in person or have a signed statement of authorization for another individual to do it on your behalf.
- Be honest on your claim form. Falsifying the form on wages earned or jobs sought may cause you to lose your benefits and subject you to criminal prosecution.

- If you are mistreated by a Workforce Development representative or if you have any complaint or suggestion on the program of the Workforce Development Center, write to:

Iowa Department of Workforce Development
1000 East Grand Avenue
Des Moines, IA 50319

- If you are unemployed because of a plant closing, make the claims taker aware of your situation. You may be entitled to greater than normal benefits.

Are there other programs for the unemployed?

Yes. Below are some addition programs:

- **Workforce Investment Act (WIA)** If you are unemployed as a result of a permanent layoff, plant or business closing, and you have had the same type of job for many years, you may be eligible for this special dislocated worker program.
- **Trade Act** If you are unemployed due to foreign imports, you may qualify for Trade Adjustment Assistance.
- **Workers' Compensation Unemployment Insurance Claim** If you have recovered from a workers' compensation injury or illness and you lack the necessary earnings to qualify for an unemployment insurance claim, you may be eligible to receive benefits based on wages you were paid before the workers' compensation claim.
- **Disaster Unemployment Assistance (DUA)** If you are unemployed as a result of a disaster and you lack the necessary earnings to qualify for an unemployment insurance claim, you may be eligible to receive benefits based on non-covered wages.

If you think you may qualify for any of these programs contact the Workforce Development Center.

A final caution.

Make sure that you are completely honest and truthful in making your application for benefits and in any communications with Workforce Development. A misrepresentation by you that results in an overpayment of benefits or your receipt of benefits to which you are not entitled can result in obligations to repay benefits and possible payment of penalties.