Pennsylvania Unemployment Compensation Handbook

pennsylvania

DEPARTMENT OF LABOR & INDUSTRY

OFFICE OF UNEMPLOYMENT COMPENSATION BENEFITS

Internet Services in Pennsylvania

Many of our telephone and mail UC services are available on the Internet.

Los servicios de Internet también están disponibles en español.

Log on to www.uc.pa.gov.

Information For Claimants With Disabilities

UC benefit information and services are available to individuals with hearing or speech difficulties through a text telephone service (TTY). This service can be accessed only if a TTY number is called from a TTY device. TTY numbers are listed on pages 14-15. TTY telephone numbers are for TTY device users only. Videophone service information is on page 15.

Auxiliary aids and services are available upon request to individuals with disabilities. Equal Opportunity Employer/Program

UCP-1 REV 01-13

INTRODUCTION

When you file an application for unemployment compensation, or UC, benefits in Pennsylvania, you will receive this booklet, a Claim Confirmation Letter and a Notice of Financial Determination. This booklet will answer many of your questions about the benefits available to you under the Pennsylvania UC program and provide information about your responsibilities as a participant in the program. **Please retain this booklet for reference for one year**.[1]

Please note: It is your responsibility to update your contact information. If your mailing address, personal telephone number or personal email address changes, you must inform the UC Service Center and the PA CareerLink® system immediately. To update your information with the UC Service Center online, go to www.uc.pa.gov. Click "Change Personal Info", and enter your PIN. To update your information with the PA CareerLink® system online, go to www.jobgateway.pa.gov. Sign in and click on your name in the header to access and update your personal information. Maintaining current contact information will ensure your receipt of correspondence about your UC claim and your eligibility for benefits.

CLAIM CONFIRMATION LETTER

Your Claim Confirmation Letter (Form UC-360) confirms that your application for benefits has been processed. It contains your personal identification number, or PIN, to access the department's Internet claims filing system or to use PA Teleclaims, or PAT, which is the department's telephone claims filing system. This letter also instructs you when to file your claims for weeks of unemployment. On the reverse side, there is helpful information about PA CareerLink® reemployment services.

NOTICE OF FINANCIAL DETERMINATION

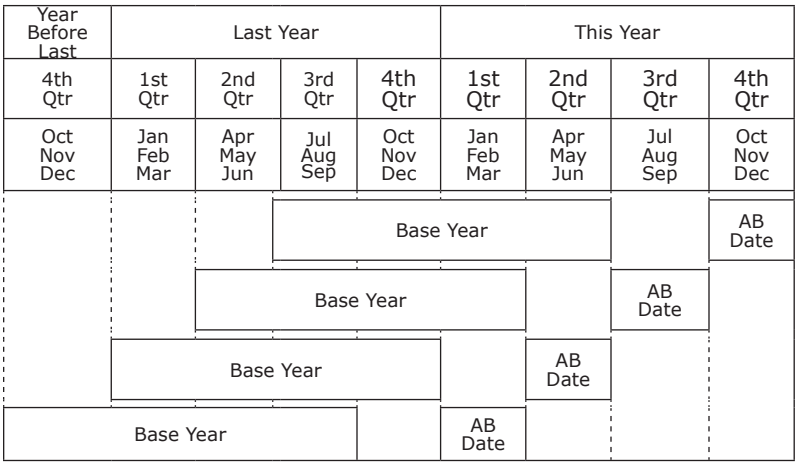
The amount of UC you may receive is known as "financial eligibility". Financial eligibility is determined by the amount of wages paid to you and the number of weeks you worked in the "base year". Generally, more wages and employment in the base year will result in greater financial eligibility. A claimant who does not meet the minimum wage and employment requirements is financially ineligible.

Definitions

The following definitions will help you understand your Notice of Financial Determination and how financial eligibility for UC is determined.

AB Date: The AB (application for benefits) date is always a Sunday. It is usually the Sunday that begins the week when you filed your application for benefits.

Base Year: Your base year is the first four of the last five completed calendar quarters immediately preceding your AB date. This chart illustrates how the base year is determined.



EXAMPLE: If you file your application for benefits, or AB, in the fourth quarter of this year, your base year is the third quarter of last year through the second quarter of this year.

[1] This booklet is not an official statement of the law. In the event of a conflict between information in this booklet and the law, the law is controlling.

Alternative Base Year: If you are financially ineligible for benefits because you have insufficient base-year wages or credit weeks due to a work-related injury under the Pennsylvania Workers' Compensation Act, you may elect to change your base year to the four completed calendar quarters immediately preceding the injury. If you believe that you qualify for this alternative base year, contact the UC Service Center immediately.

Benefit Year: The 52-week period beginning on your AB date.

Credit Week: A calendar week in your base year when you earned wages in "employment" under the UC Law of $100 or more.

Highest Quarterly Wage: Your Notice of Financial Determination indicates the amount of wages paid to you in each quarter of your base year. The quarterly wage amount that is the greatest is your highest quarterly wage.

Total Base-Year Wages: This is the total amount of wages paid to you in all of the quarters of your base year.

Your Financial Eligibility

If you are financially eligible for benefits, your Notice of Financial Determination establishes the following amounts that will apply to your receipt of UC.

Weekly Benefit Rate: This is the amount you will receive if you are eligible for benefits for a week when you are totally unemployed. A claimant's weekly benefit rate is determined using a chart in the UC law known as the "Table Specified for Determination of Rate and Amount of Benefits". Here is part of the chart to illustrate how the process works.

PART A HIGHEST QUARTERLY WAGE	PART B RATE OF COMPENSATION	PART C QUALIFYING WAGES
4888-4912	198	9727
4913-4937	199	9777
4938-4962	200	9826
4963-4987	201	9876
4988-5012	202	9925
5013-5037	203	9975

Step 1: Part B on the chart lists the weekly benefit rates. Each weekly benefit rate in part B corresponds to a range of highest quarterly wage amounts in part A. The first step is to identify the weekly benefit rate in part B that corresponds to your highest quarterly wage in part A.

Step 2: The next step is to determine if you qualify for the weekly benefit rate identified in step 1. For each weekly benefit rate in part B on the chart, part C specifies the total base-year wages that are necessary in order to qualify for that rate. If a claimant does not have total base-year wages that are sufficient to qualify for the weekly benefit rate corresponding to his/her highest quarterly wage, but he/she has total base-year wages that are adequate to qualify for one of the next two lower rates, that lower rate is assigned to the claimant.

EXAMPLE: If a claimant has a highest quarterly wage of $5000 (part A), the corresponding weekly benefit rate is $202 (part B). If the claimant has total base-year wages of $9925 or more (part C), the claimant qualifies for that weekly benefit rate. If the claimant's total base-year wages are less than $9925 but at least $9876, the claimant qualifies for a weekly benefit rate of $201. If the claimant's total base-year wages are $9826-$9875, the claimant qualifies for a weekly benefit rate of $200. If the claimant's total base-year wages are less than $9826, the claimant is not financially eligible for UC.

The complete "Table Specified for the Determination of Rate and Amount of Benefits" is available on the department's website at www.uc.pa.gov.

Alternative weekly benefit rate: If your Notice of Financial Determination indicates that you are financially eligible for a weekly benefit rate that is less than the maximum rate and less than 50 percent of your full-time weekly wage, you may be eligible for a higher

weekly benefit rate. If you have total base-year wages (part C) that are sufficient to qualify you for the weekly benefit rate in part B that equals 50 percent of your full-time weekly wage, you may be eligible for that higher rate. If you believe that you qualify for a weekly benefit rate equal to 50 percent of your full-time weekly wage, contact the UC Service Center immediately.

Maximum Benefit Amount: This is the maximum amount of benefits you may receive for your benefit year. Your maximum benefit amount is determined by the number of credit weeks in your base year. If you have 18 credit weeks, your maximum benefit amount is 18 times your weekly benefit rate. If you have 19 credit weeks, your maximum benefit amount is 19 times your weekly benefit rate, and so on, up to 26 times your weekly benefit rate. If you have more than 26 credit weeks, your maximum benefit amount remains at 26 times your weekly benefit rate. If you have less than 18 credit weeks, you are not financially eligible for benefits.

Partial Benefit Credit: Your partial benefit credit is equal to 30 percent of your weekly benefit rate. See "Part-Time Employment" on page 4 for more information.

Dependents Allowance: If you have a dependent spouse or dependent children, you will receive an additional amount for a week in your benefit year when you are eligible for UC. The allowance for one dependent is $5. The allowance for two or more dependents is $8. The Notice of Financial Determination also indicates the maximum amount of dependents allowances you may receive for your benefit year. This corresponds with the number of credit weeks in your base year. If you have 18 credit weeks, you may receive a dependents allowance for 18 weeks. If you have 19 credit weeks, you may receive a dependents allowance for 19 weeks, and so on up to 26 weeks.

Financial Ineligibility

You are not financially eligible for benefits if any of the following circumstances apply to you:

- Your highest quarterly wage is less than $1688
- Your total base-year wages are insufficient to qualify you for the weekly benefit rate that matches your highest quarterly wage or one of the next two lower rates
- Your highest quarterly wage corresponds to the maximum weekly benefit rate, but you were not paid 49.5 percent of the amount in part C outside of the quarter that provides your highest quarterly wage
- You have fewer than 18 credit weeks in your base year

If you are financially ineligible, you may file a new application for benefits on or after the first Sunday of the next calendar quarter. At that time, your base year will have changed and you may be financially eligible.

OTHER ELIGIBILITY REQUIREMENTS

You may be eligible for benefits if:

- You are totally or partially unemployed through no fault of your own or due to a work stoppage that is the result of a lockout
- You were unemployed for a waiting period of one week after filing your application for benefits
- You file timely claims for weeks that you are unemployed
- You are able to work and available for suitable work

You may be ineligible for benefits if:

- You voluntarily leave work without cause of a necessitous and compelling nature or you are unemployed due to your own fault
- You are discharged or suspended for willful misconduct or because you failed to submit to and/or pass a drug or alcohol test
- You participate in a work stoppage that is determined by the department to be a strike
- You are not able to work because of an illness or disability or you are not available to work

- You fail to register for employment-search services offered by the PA CareerLink® system at jobgateway.pa.gov within 30 days after you file your application for benefits
- You failed to actively search for suitable employment
- You fail, without good cause, to accept an offer of suitable work or refuse a referral to a job opportunity
- You withhold facts or give false information to receive or increase benefits
- You limit the number of hours that you will work when there is additional work available
- You are self-employed (regardless of profit or loss); take steps toward becoming self-employed; or increase involvement in a sideline business that existed while you were employed at your regular job
- You are incarcerated
- You fail to participate in required reemployment services
- You are prosecuted or assigned penalty weeks for knowingly misrepresenting facts or knowingly withholding facts to obtain UC

Requalifying for benefits: If you are ineligible for benefits because you quit your job without a necessitous and compelling reason, you were discharged for willful misconduct or because you failed to submit to and/or pass an employer's drug or alcohol test, or you were self-employed, you may be able to qualify for benefits at a later date. To requalify, you must work and earn an amount equal to or more than six times your weekly benefit rate in covered employment, that is "employment" as defined in the UC Law.

If you are ineligible for benefits because you failed, without good cause, either to apply for or to accept an offer of suitable work, you will remain ineligible for benefits until you obtain subsequent employment of a permanent nature. A disqualification because of a failure to apply for or to accept temporary or casual employment remains in effect only for the period of time that the offered work would have been available.

PART-TIME EMPLOYMENT

You are not eligible to receive benefits for any week in which you are working full time. However, you may be eligible for benefits if (1) your regular hours of work are reduced because of lack of work, (2) you are separated from your job and have obtained part-time employment with fewer hours of work, or (3) you are separated from one job but continue to have part-time employment with another employer(s).

If you are working part time during a week, and earn no more than your partial benefit credit (see page 3), your earnings will not reduce your benefits for that week. If you earn more than your partial benefit credit, the amount of your gross earnings that exceed your partial benefit credit will reduce your benefits for that week on a dollar-for-dollar basis. If you earn more than the sum of your weekly benefit rate and your partial benefit credit, you are not eligible for benefits.

FILING CLAIMS FOR BENEFITS

After you have filed your application for UC benefits, and if you are financially eligible, you must file a claim for each week in which you are totally or partially unemployed. A week for UC purposes is a calendar week that begins Sunday and ends Saturday. The date of the Saturday is called the compensable week ending, or CWE date. In most cases you will file claims for two weeks at one time. This is called a biweekly claim. Although you will file for two weeks at one time, you will certify your eligibility for each week separately.

IMPORTANT NOTE: If you are awaiting a determination regarding your eligibility for benefits, you must file claims for weeks that you are unemployed during this period. Also, if you appeal a determination denying benefits, you must file claims while your appeal is pending. If you stop filing claims for any reason, you must contact your UC Service Center to reopen or reactivate your UC application before you may resume filing claims.

HOW TO FILE BIWEEKLY CLAIMS

You will need the following information to file your biweekly claim:

- Your Social Security Number
- Your PIN (personal identification number)

For each week that you are claiming, you will need:

- The gross amount of your earnings (money earned before taxes or other deductions) for work performed during the week (if applicable)
- If you were absent from work when work was available during the week, the gross amount you would have earned if you had not been absent (if applicable)
- The gross amount of holiday pay and vacation pay for the week (if applicable-see page 9)

Filing Claims by Internet: You may file your biweekly claims by the Internet Sunday, 6 a.m. to 11 p.m., and Monday through Friday, 6 a.m. to 9 p.m. The website address is www.uc.pa.gov.

After you have submitted your biweekly claim on the internet, a confirmation page will display to indicate that your claim has been accepted. *Do not exit the site before you receive this confirmation. If you do, your claim will not be filed and you will have to file your claim again.*

Filing Claims by Telephone (Pennsylvania Teleclaims—PAT): PA Teleclaims, or PAT, is the department's telephone claim filing system. You must have a push-button telephone to use PAT, but you do not need touch-tone service. If you do not have touch-tone service, but have a telephone with a PULSE/TONE switch, call PAT with the switch in the PULSE position. When PAT answers your call, place the switch to the TONE position.

You may file your biweekly claims by PAT Sunday, 6 a.m. to 11 p.m., and Monday through Friday, 6 a.m. to 9 p.m. Telephone numbers for PAT are listed on page 12 of this handbook. If you get a busy signal, hang up, wait a while, and please try again. SHORT-CUT FOR FILING BIWEEKLY CLAIM: Immediately after PAT answers your call, press 1, 3, 1 to avoid having to listen to the PAT menu options and prompts.

PAT will ask you a series of questions regarding your eligibility for UC for the first week of your biweekly claim. You will answer each question "yes" or "no" using your telephone keypad. The questions are generally as follows:

- Is the mailing address you provided still correct?
- Do you wish to file for benefits for the claim week ending (PAT will state the date)?
- Did you work or were you absent from work during the week you are claiming?
  - If you answer "yes", you will respond to questions or statements about your work and absences from work.
- Did you or will you receive holiday or vacation pay for the week you are claiming?
  - If you answer "yes", you will respond to questions or statements about your holiday pay and vacation pay.
- Were you able to work and available for work?

When you have answered the questions, you may have your answers repeated, clear your answers and begin again, or have your answers processed.

After you have finished claiming the first week, and if a second week is available for you to claim, PAT will ask if you wish to claim benefits for the second week (that is, PAT will state the date the week ends). If "yes", PAT will ask if your answers for the second week are the same as your answers for the first week. If "yes", you will not have to respond to the questions again. If "no", PAT will ask you the questions for the second week.

After you have completed your biweekly claim, PAT will tell you that your claim has been accepted or your answers have been saved. *Do not hang up until you hear this confirmation. If you hang up or get disconnected before PAT confirms that your claim has been accepted, you will have to call again to file your claim for benefits.*

Filing Claims by Mail: You may file your biweekly claims by mail only if you:

- Do not have access to a push-button telephone
- Have limited ability to communicate in the English language
- Have a disability that prevents you from using the Internet or PAT
- Are receiving TRA benefits

You will receive instructions on how to file claims by mail.

WHEN TO FILE YOUR BIWEEKLY CLAIM

You must file your biweekly claim in a timely manner in order to be eligible for benefits. Your biweekly claim must be filed during the Sunday through Friday period of the week immediately following the two weeks you are claiming. For example, you will file your first biweekly claim between Sunday and Friday of the third week of your benefit year (see page 1) in order to claim benefits for the first two weeks of your benefit year. Your Claim Confirmation Letter will tell you when to file your first biweekly claim. If you remain totally or partially unemployed, you will continue to file biweekly claims once every two weeks.

YOUR FIRST BENEFIT PAYMENT

If you file your biweekly claims timely and are eligible for benefits, you should receive your first benefit payment within four weeks after filing your application for benefits.

Waiting Week: The first week of the benefit year that you are unemployed and otherwise eligible for benefits is called the "waiting week". UC benefits are not payable for the waiting week. However, you must file a claim for the waiting week in order to receive credit for serving it. Because of the waiting week, your first UC payment may be for only one week.

HOW UC BENEFITS ARE PAID

The department pays UC benefits by debit card or direct deposit. Your Claim Confirmation Letter will include information regarding both the debit card and direct deposit options.

If you previously signed up to receive UC benefits by direct deposit, you will continue to receive your UC this way, unless it has been at least three years since you initially signed up for direct deposit. In that case, you will be automatically reenrolled for a MasterCard® debit card which will be mailed to you along with instructions for its use.

If you would like to switch from debit card to direct deposit, or if you want to remain enrolled in direct deposit but your bank account information has changed, you must complete and return the direct deposit authorization form that is included with your Claim Confirmation Letter. This form may also be submitted online at www.uc.pa.gov, click "Change Personal Info". NOTE: Even if you switch to direct deposit, you will receive a debit card in order to access any benefit payments made before direct deposit is active.

IMPORTANT NEW REQUIREMENT
ACTIVE SEARCH FOR WORK

Pennsylvania UC Law was recently changed to add additional eligibility requirements for UC benefits. If the effective date of your application for benefits (AB Date) is on or after Jan. 1, 2012, you are required to do all of the following:

1. Register for employment-search services offered by the PA CareerLink® system within 30 days after filing an application for benefits.
2. Conduct an active search for work for each week for which you claim UC, beginning with the third week for which you claim benefits.
3. Keep a record of your work search activities and provide the record to the department when requested to do so.

Registration for employment-search services:

To register for employment-search services, follow the steps below:

a. Go to the Pennsylvania JobGateway℠ website at www.jobgateway.pa.gov. Click on "Register as a New User".

b. Follow the instructions provided to create a Keystone ID (user name) and password using your **complete Social Security Number**.
c. Provide the information applicable to complete your **Profile** and **Job Preferences**.
d. Once you have completed the registration process, you will receive a **Registration Confirmation** page. Be sure to print this page or write the information down for your records. Do not send the confirmation to the UC Service Center or Pennsylvania CareerLink® office.

If you previously registered with Pennsylvania CareerLink®, follow the steps below.

a. Go to the Pennsylvania JobGateway℠ website at www.jobgateway.pa.gov., click on "Sign In" to log in using your existing Keystone ID and password.
b. Proceed to "My Dashboard".
c. Click on your name at the top of the screen and then verify that your **complete Social Security Number** is entered. If no Social Security Number field is displayed, you have previously recorded this information. If the Social Security Number field is not complete, enter your complete Social Security Number being sure to click on the "Save and Continue" button.
d. Click on "Manage My Profile" and complete all applicable information under both the "Profile" and "Job Preferences" items.
e. If you have completed steps a-d above, you have completed the registration process. Please note: you will not receive a registration confirmation page because you previously created a Keystone ID and password.

Weekly Work Search Requirements:

Your weekly work search consists of two parts. If you satisfy both parts, you will meet your active search for work requirement for the week. The following explains these two parts and what you must do to successfully accomplish your active search for work.

Part 1

Follow either section A or section B, depending on which section applies to the week.

A. During each week from the third week of your benefit year for which you claim UC through the eighth week of your benefit year for which you claim UC, you must apply for at least **two** positions.

   During this period you may limit your applications to positions that (1) would provide employment and wages similar to those that you had prior to your unemployment and (2) are within a 45-minute commuting distance or a commuting distance that is generally accepted in your labor market, whichever is greater.

B. During the ninth week of your benefit year for which you claim UC and each week thereafter for which you claim UC, you must apply for at least **three** positions. While you may continue to apply for positions described in section A, you may have to expand your job search to include positions that would provide other suitable work you are capable of performing if that is necessary in order to apply for the required number of positions during the week.

Part 2

You must also do at least one of the following for each week for which you claim UC, begining with the third week for which you claim benefits:

- Attend a job fair
- Search positions posted on the JobGateway℠ system or Internet job banks
- Create or post a résumé in the JobGateway℠ system or post a résumé in other résumé posting services
- Contact colleagues, former co-workers or other individuals in similar professions or occupations to make known your availability for employment or obtain information about available positions, prospective employers or other employment opportunities
- Utilize an employment agency, employment registry or school placement service
- Take a civil service test or other pre-employment test
- Participate in a program or activity offered through the Pennsylvania CareerLink® system

However, if you apply for more than the required number of jobs during a week, you do not have to satisfy Part 2 for that week.

Your Work Search Record: You are required to keep a record of your efforts to find work. You are encouraged to use Form UC-304, entitled "Record of Job Applications and Work Search Activities" to record your weekly work search efforts. Copies of this form are available for download at www.uc.pa.gov and in this publication. You are not required to use Form UC-304 as long as you record the same information that would be contained on Form UC-304.

You must retain your record for a period of two years from your AB Date. The department continuously monitors the work search activities of UC claimants. Failure to provide your work search record upon request, in the manner specified by the department, may result in liability to repay benefits you have received.

Do not send your work search record to the department unless specifically asked to do so.

Additional Information: "Applying" for a position can be done in a number of ways, such as by expressing an interest in employment to an employer in person, or by mail, phone or electronic transmission, submitting a job application or résumé to an employer or following a hiring procedure established by an employer.

If you are interviewed for a position by an employer or an employer representative, the interview may substitute for either a job application under Part A or a work search activity under Part B.

You may use a repeated application for the same job to satisfy Part 1 only if you reasonably believe that the employer's hiring needs have changed.

If you work part time during a week, and claim partial benefits for the week, you are only required to apply for one job under section A of Part 1 or two jobs under section B of Part 1, and you do not have to satisfy Part 2 for that week.

Out-of-State Claimants: If your labor market is located outside of Pennsylvania, you must register for employment search services with both the Pennsylvania CareerLink® system and the state employment service that serves your local labor market. Also, for Part 2, you may participate in the same types of activities offered by the state employment service that serves your local labor market.

Exceptions:

Registration for Employment-Search Services – The registration requirement does not apply:

- If your employer reduced your hours of work or laid you off for economic reasons and your employer has advised you in good faith and in writing that you will return to work on a specific date. You must, however, keep a copy of this written notice from your employer, and provide it to the department when asked to do so. This exception will cease to apply if your recall date is rescinded by the employer or your recall date has passed.
- For any week that you are participating in the Shared-Work Program under Article XIII of Pennsylvania UC Law.
- For any week that you are in training approved by the department or training approved under the Trade Act.
- For any week that you are required to participate in the Pennsylvania Profile Reemployment Program (PREP) at a PA CareerLink® under Section 402(j) of Pennsylvania UC Law.

Active Search for Work – The active search for work requirement does not apply:

- If your employer reduced your hours of work or laid you off for economic reasons and your employer has advised you in good faith and in writing that you will return to work on a specific date. You must, however, keep a copy of this notice from your employer. This exception will cease to apply if your recall date is rescinded by the employer or your recall date has passed.

- For any week that you are participating in the Shared-Work Program under Article XIII of Pennsylvania UC Law.
- For any week that you (1) are a member of a union that has a hiring hall or are registered with a hiring hall, (2) are required to obtain employment through the hiring hall, and (3) fulfill all requirements to maintain eligibility for referral by the hiring hall during the week.
- For any week that you are in training approved by the department or training approved under the Trade Act.
- For any week that you are required to participate in the Pennsylvania Profile Reemployment Program (PREP) at a PA CareerLink® under Section 402(j) of Pennsylvania UC Law.

YOUR RESPONSIBILITIES

Accurate and Complete Information: You are responsible to provide truthful and complete information when you file claims for benefits, complete UC forms or questionnaires, or discuss your UC benefits with the UC Service Center. If you receive UC that you are not eligible to receive because you provided inaccurate or incomplete information to the department, you will be subject to a "fault overpayment" (see overpayments section). If you knowingly misrepresent facts or knowingly withhold material information, you may be subject to a fine, imprisonment, court costs, criminal restitution liability and future ineligibility for benefits.

Personal Identification Number (PIN): Your PIN and Social Security Number identifies you when you file a claim or access UC information. Your PIN has the same legal authority as your signature. *DO NOT GIVE YOUR PIN TO ANYONE, including family members. It is your responsibility to file your own biweekly claims. It is illegal for another person to file your biweekly claims for you. If you give your PIN to another person, or allow another person to gain access to your PIN, you are responsible for any improper benefit payments that occur as a result of the other person's use of your PIN.*

If you forget your PIN, contact your UC Service Center to request a new PIN. Or, if you think someone else knows your PIN, request a new PIN immediately. If you know your current PIN, you can change your PIN through the Internet at www.uc.pa.gov, or by calling PAT. When your PIN is changed, you will receive your new PIN by mail. If you receive correspondence from the department notifying you of a PIN change, but you did not request a new PIN, contact the UC Service Center immediately.

Timely Claims: You must file claims for benefits in a timely fashion.

Full-Time Work: If you are working your normal, full-time hours during a week, you are not eligible to claim benefits for that week.

Part-Time Earnings: If you work part time, you must report your gross earnings whenever you file your biweekly claims on the Internet or the PAT system. Multiply your rate of pay by the number of hours that you worked during each week to calculate your gross earnings.

For example, a claimant works 20 hours a week and earns $10.00 per hour. 20 hours a week X $10.00 per hour = $200.00 in gross pay.

Pennsylvania's UC Law requires claimants to report wages for the week in which the wages were earned, even if the wages are paid later.

Please contact the UC Service Center at 888-313-7284 if you start a new part-time job or full-time job.

Holiday and Vacation Pay: If you claim UC for a week that includes a paid holiday or paid vacation days, you must report the gross amount of the holiday and vacation pay, even if these payments are made in a different week.

Severance Pay: You must inform the UC Service Center of any lump-sum or periodic payments made by an employer, on account of separation from that employer.

Pensions: You are required to report all pensions, including retirement, retired pay, annuities or other similar periodic payments and lump-sum pension payments.

Back-Wage Awards: It is your responsibility to notify the UC Service Center if you receive a back-wage award.

HOW WEEKLY BENEFITS MAY BE REDUCED

The law contains solvency provisions that apply when the balance in the Unemployment Compensation Trust Fund is low. The balance in the fund has declined to a level where benefit payments for weeks ending on or after Jan. 5, 2013, must be reduced by 1.7 percent.

Part-Time Earnings: See "Part-Time Employment" on page 4 for more information.

Holiday Pay and Vacation Pay: Holiday pay and vacation pay that exceed the partial benefit credit (see page 3) are deducted from UC benefits for the week in which the holiday or vacation occurs. However, vacation pay is not deducted if you are permanently or indefinitely separated from employment.

Severance Pay: Severance pay received by a claimant that exceeds 40 percent of Pennsylvania's average annual wage is deducted from the claimant's UC (unless the claimant's AB date is prior to January 1, 2012, or the severance results from an agreement entered into before January 1, 2012.) The deductible portion of a claimant's severance pay is allocated to the weeks immediately following the claimant's separation based on the claimant's full-time weekly wage. Severance pay means one or more payments made by an employer to an employee on account of separation from the service of the employer.

> *Example: A claimant receives $32,000 in severance pay. Forty percent of Pennsylvania's average annual wage ($46,162 for 2012) is approximately $17,800. Therefore, $17,800 is subtracted from $32,000 to get $14,200, which is the amount of the claimant's severance pay that is deductible. The claimant was earning $1,200 a week at the time of his separation. Accordingly, the deductible amount of severance pay is allocated at $1,200 per week to the first 12 weeks the claimant is unemployed. Because $1,200 exceeds the maximum weekly UC benefit rate, the claimant would not receive any benefits for this 12–week period.*

Pensions: Pension payments may be deductible if (1) the pension is paid from a plan contributed to or maintained by a base-year employer; and (2) your work during the base year increased the amount of, or affected your eligibility for, the pension.

If the employer alone contributed to the pension, 100 percent of the prorated, weekly amount of the pension is deductible. If you contributed in any amount to the pension, 50 percent of the prorated, weekly pension amount is deductible. Pensions are deductible from weekly benefits on a dollar-for-dollar basis. The partial benefit credit is not applicable.

The following pension payments are NOT deductible:

- A lump-sum pension payment, if you did not have the option of receiving monthly or periodic payments
- A lump-sum pension payment that is rolled over into an eligible retirement plan, such as an IRA, within 60 days of receipt of the payment. If you roll over only a part of a lump-sum payment, that portion of the lump-sum that is not rolled over is deductible
- Social Security and Railroad Retirement pensions

Back-Wage Awards: If you receive a back-wage award for a period of time when you received UC, the back-wage award may affect your eligibility for the UC you received.

Support Orders: Support obligations will be deducted from UC benefits if the department receives an administrative or judicial attachment order. Any questions or concerns regarding the amount being deducted from your UC benefits should be directed to the Domestic Relations Section of the Court of Common Pleas that issued the attachment order. More information on support withholding from UC benefits is provided in the pamphlet UCP-24, Support Withholding from Unemployment Compensation, available from the UC Service Center or downloadable at www.uc.pa.gov. If support is deducted from your UC, log onto www.childsupport.state.pa.us to access your payment information.

INFORMATION ABOUT YOUR CLAIM

You can determine if a recent benefit payment was issued to you Sunday 6 a.m. to 11 p.m., and Monday through Friday, 6 a.m. to 9 p.m., online at www.uc.pa.gov, or by calling PAT. Information regarding a recent benefit payment is generally available the business day after the payment is made. For example, if you filed your claim on Sunday, your payment may be posted on Monday. Also, you can call PAT to determine when to file your next claim. You need your Social Security Number and PIN to access information through PAT or the Internet.

INFORMATION FROM YOU

If you and your employer disagree on the reason for your unemployment, or any other issues arise that may affect your eligibility for benefits, you will be given an opportunity to provide information and explain your side of the story. If benefits are denied, you will receive a written notice of determination.

If you are receiving benefits when an issue arises, you will receive an "Advance Notice" form, warning that your receipt of benefits is being reviewed and that your eligibility for benefits may be affected. You will continue to receive benefits unless a written decision of ineligibility is issued by the UC Service Center, a UC referee, the UC Board of Review, or the Commonwealth Court or other appellate court.

WHAT IF YOU DISAGREE WITH A BENEFIT DECISION?

You may appeal if you receive a decision that denies benefits, but you think you should be eligible, or you receive a decision that grants benefits, but you think that you should be eligible for more benefits.

UC Service Center Determination: You may appeal a UC Service Center determination to a referee within 15 days of the mailing date of the determination. Follow the appeal instructions that accompany the determination.

Referee Decision: You may appeal a referee decision to the UC Board of Review within 15 days of the mailing date of the referee decision. Follow the appeal instructions that accompany the referee decision.

UC Board of Review Decision: You may appeal a UC Board of Review decision to the Commonwealth Court within 30 days of the mailing date of the board decision. Follow the appeal instructions that accompany the board decision.

IMPORTANT: If you remain partially or fully unemployed while an appeal concerning your eligibility is pending, continue to file your biweekly claims for benefits. If the appeal is decided in your favor, only benefits for the weeks you claimed will be released for payment.

Representation: You may file your own appeal and represent yourself throughout the appeal process, or you may have an attorney or any other advocate represent you. If you qualify, free legal assistance may be available from the legal services organization serving your area, your local bar association or a law school clinic.

OVERPAYMENTS

IMPORTANT: The Pennsylvania Department of Labor & Industry routinely exchanges earnings and benefit payment information with other state, federal and local agencies. Computer resources are used to detect the illegal receipt of benefits resulting from unreported wages and pensions. Failure to report wages and pensions may result in your disqualification for benefits, fines, and/or imprisonment. In addition, the department verifies the immigration status of all aliens with U.S. Citizenship and Immigration Services.

A **fault overpayment** occurs when you receive benefits to which you are not entitled by reason of your fault, such as misrepresenting or withholding facts to obtain UC.

You must repay a fault overpayment with interest. To recover a fault overpayment, the department may deduct the overpayment from your current benefits, file a lien against your real and personal property and, in certain circumstances, intercept your federal income tax refund.

The department will apply 100 percent of your current benefits towards a previous fault overpayment until the overpayment is recovered or the recoupment period ends. The recoupment period for fault overpayments on AB dates prior to June 12, 2012, is six years after the end of the benefit year. Pennsylvania's Act 60 of 2012 provides that AB dates of June 17, 2012, or later have ten-year recoupment periods.

Both federal law and state law allow the department to garnish your federal income tax refund to recover an outstanding fault UC overpayment. Claimants who have outstanding overpayments also face statutory liens against their real and personal property.

A **non-fault overpayment** occurs when you receive benefits you are not entitled to receive through no fault of your own. The overpaid amount may be deducted from future benefit payments during that benefit year and the three-year period immediately following that benefit year. The deductions may not exceed one-third of the weekly benefit rate. However, if the total overpayment is $99 or less, it will be deducted in full. Voluntary repayment is accepted in order to ensure that future benefit payments will not be reduced and delayed.

Dishonored Check Penalty: If you pay the department with a personal check that is not honored by your bank, you will be charged with a dishonored check penalty. The penalty charge is $10 for dishonored checks less than or equal to $10, the face value of the check for checks greater than $10 but less than $100, or $100 for checks of $100 or more.

How to Make Payments on an Overpayment: When making a payment on your overpayment, interest or penalties, please send a check or money order payable to the UC Fund. Do not send cash. Your full name, Social Security Number and daytime telephone number should be entered on the check or money order. Your cancelled check or money order will be your receipt. All payments should be sent to Office of UC Benefits Policy, UI Payment Services, PO Box 67503, Harrisburg, PA 17106-9894.

FEDERAL TAXATION OF UC BENEFITS

All UC benefits are considered gross income for federal income tax purposes. This includes benefits paid to former federal civilian and military employees and benefits paid under the federal Trade Adjustment Assistance and Disaster Unemployment Assistance programs. The department reports your UC benefits to the Internal Revenue Service (IRS) for the calendar year in which the benefits were paid.

You may elect to have federal income tax withheld from your UC benefits at the rate of 10 percent of your weekly benefit rate plus the allowances for dependents (if any). You can make this choice when you file your application for benefits or at any other time online at www.uc.pa.gov, or by calling PAT. You may also stop having the tax withheld from your benefits. (Taxes withheld can be refunded to you only by the IRS.)

Tax Statements: By the end of January of each year, the department mails Form UC-1099G, Statement for Recipients of Pennsylvania Unemployment Compensation Payments, to individuals who were paid UC benefits during the prior year. This statement shows the amount of UC benefits paid and the amount of federal income tax withheld, if any. The statement will be mailed to your address of record. (The U.S. Postal Service will forward Form UC-1099G if it has a forwarding address on file.) Claimants may view or print form UC-1099G for the current calendar year (and the prior year) online at www.uc.pa.gov.

UNEMPLOYMENT COMPENSATION FOR FEDERAL CIVILIAN EMPLOYEES (UCFE)

If you earned wages in federal civilian employment, you may be eligible for unemployment benefits in Pennsylvania under the federal UCFE law (5 U.S.C. § 8501 *et seq.*) if:

- Your last official federal duty station was Pennsylvania
- Your last official federal duty station was outside of the U.S., and you are a resident of Pennsylvania and personally present in the commonwealth when you file your application for benefits

- You were employed in UC-covered employment in Pennsylvania after the separation from your federal employer but prior to the effective date of your claim, and you are a resident of Pennsylvania

The department is required to send a request to your separating federal agency to obtain your wage and separation information. If UCFE benefits are paid based on information obtained from you, those benefit payments may have to be adjusted upon receipt of information from the federal agency.

Findings with respect to whether you performed federal service, the amount of wages, your duty station, and the period of your federal service or reason for separation are made by the federal agency. If you disagree with these findings, you may request the UC Service Center to initiate a Reconsideration of Federal Findings in addition to your appeal. Your request for reconsideration and copies of supporting documents should be mailed to the UC Service Center and postmarked by the U.S. Postal Service no later than the last day to file a timely appeal of the determination.

UNEMPLOYMENT COMPENSATION FOR EX-SERVICE MEMBERS (UCX)

UCX is a federal program (5 U.S.C. § 8521 *et seq.*) that governs the payment of UC to former members of the Armed Forces and the Commissioned Corps of the National Oceanic and Atmospheric Administration (NOAA) who meet the eligibility requirements of state and federal law. **To apply for UCX in Pennsylvania, you must physically be in Pennsylvania at the time of filing.**

To be financially eligible for UCX in Pennsylvania you must meet all requirements:

- Have had active federal military service in the base year
- Have been discharged or released under honorable conditions
- If an officer, have not resigned for the good of the service
- Have completed the first full term of active service initially agreed upon at enlistment, or if not, were released: (1) for the convenience of the government under an early release program; (2) because of medical disqualification, pregnancy, parenthood, or service incurred injury or disability; (3) for hardship; or (4) for personality disorders or inaptitude, if served at least 365 continuous days
- As a reservist or National Guard member, must have been on continuous federal active military duty for 90 days or more.

NOTE: You will not be eligible for UCX if you are receiving certain subsistence, educational assistance, or special training allowances.

When you apply for UCX, you will need to mail a **copy** of your DD Form 214 Member 4, "Certificate of Release or Discharge from Active Duty", or NOAA Form 56-16, "Report of Transfer or Discharge" to the Federal Programs Unit at 651 Boas St., Room 604, Harrisburg, PA 17121. Do NOT send your original discharge forms. A determination of your eligibility will be delayed until it is received.

Your weekly benefit rate on your Notice of Financial Determination will depend upon your pay grade at the time of your separation from the military. These pay grades are set by the Federal Military Schedule of Remuneration.

Federal law provides that the information given on your discharge form regarding your active military service, pay grade at the time of separation, and the type of discharge or release you received, shall be final and conclusive. If you believe that the information on your DD Form 214 or NOAA Form 56-16 is incorrect, you may ask for review by the appropriate branch of service. The UC Service Center can advise you how to obtain that review, but **cannot** alter information on the forms presented by the federal branch of service. If you disagree with a Notice of Financial Determination or any other determination regarding your UCX benefits, you have the right to file an appeal within 15 calendar days in the same manner as UC benefit appeals (see page 8). If you are initiating a review of your discharge form, you should also file a timely appeal of the UC Service Center determination. Videophone service for American Sign Language users is available every Wednesday from noon to 4 p.m. at 717-704-8474.

TRADE ADJUSTMENT ASSISTANCE

Trade Adjustment Assistance (TAA) is a federal program that provides assistance to **adversely affected** workers in firms (and subdivisions) who lose their jobs or whose hours of work and wages are reduced as a result of increased imports of articles or whose firms have been affected by, or are threatened to be affected by, shifts in production of articles to foreign countries. It also provides assistance to workers whose firm is a supplier or downstream producer to a firm that received a certification of eligibility. TAA benefits may also be available to service sector and public agency workers certified under certain petitions filed on or after May 18, 2009.

If your company receives a TAA petition certification, you may qualify to receive reemployment benefits, such as training or job search and relocation allowances. Additionally, weekly Trade Readjustment Allowances (TRA) may be payable to you if you qualify. Form FP 8-55, "Application Under the Trade Act of 1974 (as amended)," should be completed immediately following your separation from the trade-affected employer or the TAA petition certification date. Do not wait until the exhaustion of your UC benefits.

Benefits are currently available under three TAA programs, each with distinct benefits and eligibility requirements. The program you may qualify under depends on whether your employer was certified under a petition filed on or after Nov. 4, 2002 through May 17, 2009 (Trade Act 2002), a petition filed on or after May 18, 2009 through Feb. 14, 2011 (Trade Act 2009), or a petition filed on or after Feb. 15, 2011 (Trade Act of 2011). To receive these benefits, you must file your applications or take certain actions within the required time limits. For example, to be eligible for any TRA benefits, you must be enrolled in approved training by the mandatory deadline or be issued a waiver of that requirement. For instance, if you are covered under a petition under Trade Act 2002, you must:

- Be enrolled in a training program by the end of the 8th week after the petition certification is issued by the U.S. Department of Labor
- Be enrolled in a training program by the end of the 16th week after your most recent qualifying separation
- Be issued a waiver of the training program enrollment requirement by a TAA representative within the above time periods

If you are covered under a petition filed under the Trade Act 2009 or 2011, you have 26 weeks from the petition certification or your most recent qualifying separation to meet the enrollment in training deadline. Under the Trade Act 2002, even if you are issued a waiver of the enrollment in training requirement, you must still apply for training within 210 days of your separation or the petition certification in order to be eligible for additional TRA benefits. There are other differences between the Trade Act 2002, the Trade Act 2009, and the Trade Act of 2011 explained in pamphlets UCP-11A, UCP-11B, and UCP-11C which you can obtain from your UC Service Center or PA CareerLink® offices.

TAA certification may also entitle you to **Alternative Trade Adjustment Assistance (ATAA)** or **Reemployment Trade Adjustment Assistance (RTAA).** These programs provide assistance to eligible trade-affected workers age 50 or older who obtain new full-time employment that pays less than their trade-affected employment. Workers may receive up to half of the difference between the workers' old wage and the new wage up to a maximum amount.

If you qualify to receive TRA benefit payments under the TAA program, or you would be eligible for TRA benefits but have not yet exhausted your UC, you may be eligible for a federal Health Coverage Tax Credit (HCTC) for a portion of the amount you pay for qualified health coverage for you and your family members.

For more information regarding filing a TAA petition or TAA, ATAA or RTAA benefits, please contact the UC Service Center, visit your local PA CareerLink®, log onto our Pennsylvania state website at www.dli.state.pa.us or log onto the U.S. Department of Labor website at www.doleta.gov/tradeact. For information regarding HCTC, please contact the HCTC Customer Contact Center by phone at 866-628-4282 (TDD/TTY: 866-626-4282) or visit their website at www.irs.gov, Keyword: HCTC.

WHAT CAN JOBGATEWAY℠ AND PA CAREERLINK® DO FOR YOU?

Once you have registered for employment-search services at www.jobgateway.pa.gov, JobGateway℠ can provide you with access to over 200,000 online job-postings which are refreshed each day. You can search for jobs based on criteria that you set or JobGateway℠ can recommend jobs to you based on your skills and qualifications. Create your résumé using one of JobGateway℠'s templates or simply upload your existing resume to JobGateway℠. You can make your résumé available to employers who are registered in the system and searching for candidates.

PA CareerLink® offices are located throughout the state and provide a wide variety of reemployment services such as assistance with preparing a résumé, instruction in job search techniques, services for veterans and job training. See your Claim Confirmation Letter for more information or visit them online at www.pacareerlink.state.pa.us.

PENNSYLVANIA TELECLAIMS (PAT) TELEPHONE NUMBERS

Please use the number listed below for a local call in your area. If all numbers listed are long distance from your area, use the toll free number.

Dialing Area	PAT Number	Dialing Area	PAT Number
Allentown	610-821-6659	Harrisburg	717-231-4055
Altoona	814-941-6849	Indiana	724-599-1004
Duquesne	412-267-1494	Lancaster	717-299-7560
Erie	814-878-5700	Scranton	570-562-4800
Toll-Free	888-255-4728	TTY Scranton	570-562-4870*
TTY Toll-Free	888-411-4728*		

* Persons using a text telephone (TTY) may access PAT by dialing this number. This service can only be accessed if the call is made from a TTY device. If you do not have a TTY device, do not call PAT using any of the TTY numbers provided; instead, call PAT using your local number or the toll free number (if you do not have a local PAT number).

UC SERVICE CENTER ADDRESSES AND TELEPHONE NUMBERS

UC Service Center hours are updated on the telephone system and website. NOTE: UC Service Centers experience a high volume of calls on Mondays. Claimants receive faster service by calling Tuesday through Friday (later in the day) when the call volume is lighter. Videophone service for American Sign Language users is available every Wednesday from noon to 4 p.m. at 717-704-8474.

Allentown UC Service Center (0992)
160 W. Hamilton St., Suite 500
Allentown PA 18101-1994
Local: 610-821-6735
Toll Free: 888-313-7284
TTY Local: 610-821-6771
TTY Toll Free: 888-334-4046
FAX: 610-821-6281

Altoona UC Service Center (0994)
1101 Green Avenue
Altoona PA 16601-3483
Local: 814-946-7224
Toll Free: 888-313-7284
TTY Toll Free: 888-334-4046
FAX: 814-941-6801

Duquesne UC Service Center (0998)
14 North Linden Street
Duquesne PA 15110-1067
Local: 412-267-1315
Toll Free: 888-313-7284
TTY Toll Free: 888-334-4046
FAX: 412-267-1475

Erie UC Service Center (0993)
1316 State Street
Erie PA 16501-1978
Local: 814-871-4311
Toll Free: 888-313-7284
TTY Toll Free: 888-334-4046
FAX: 814-871-4863

Indiana UC Service Center (0997)
630 Kolter Drive
Indiana PA 15701-3570
Local: 724-599-1250
Toll Free: 888-313-7284
TTY Toll Free: 888-334-4046
FAX: 724-599-1068

Lancaster UC Service Center (0996)
36 East Grant Street
Lancaster PA 17602-2831
Local: 717-299-7711
Toll Free: 888-313-7284
TTY Toll Free: 888-334-4046
FAX: 717-299-7557

Scranton UC Service Center (0991)
30 Stauffer Industrial Park
Taylor PA 18517-9625
Local: 570-565-3048
Toll Free: 888-313-7284
TTY Local: 570-562-4871
TTY Toll Free: 888-334-4046
FAX: 570-562-4872

EQUAL OPPORTUNITY IS THE LAW

It is against the law for this recipient of federal financial assistance to discriminate on the following basis:

- Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief
- Against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I-financially assisted program or activity

The recipient must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIA Title I-financially assisted program or activity
- Providing opportunities in, or treating any person with regard to, such a program or activity
- Making employment decisions in the administration of, or in connection with, such a program or activity

What To Do If You Believe You Have Experienced Discrimination: If you think that you have been subjected to discrimination under a WIA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

- The recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose); or
- The Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW, Room N–4123, Washington, DC 20210.

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above).

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with the CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with the CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

For equal opportunity information or to file a complaint, contact:
Khan Mitchell
khmitchell@pa.gov
Department of Labor & Industry
Office of Equal Opportunity
651 Boas St., Room 514
Harrisburg, PA 17121
Phone: 717-787-1182 or 800-622-5422
TDD/TTY: 800-654-5984
Fax: 717-772-2321

PRIVACY ACT STATEMENT

Because you are being asked to provide your Social Security Number, we are required by section 7 of P.L. 93-579 to give you the following information:

- Disclosure of your Social Security Number is mandatory. If you decline to give your Social Security Number, your application and claims for UC will not be processed.
- We are authorized to solicit your Social Security Number pursuant to the Internal Revenue Code (26 U.S.C. §§ 6050B and 6109) and the Social Security Act (42 U.S.C. § 1320b-7).
- Your Social Security Number will be used to identify and administer your application and claims, determine your eligibility for UC and verify your eligibility for other government benefits, for statistical purposes, and to report the amount of UC you receive to the Internal Revenue Service for federal income tax purposes.

Looking for a career? Keystone Works allows unemployed Pennsylvanians to get on-the-job training while continuing to receive UC benefits. You will have the opportunity for full-time employment while adding occupational skills to your résumé and maintaining a connection to the workforce. Keystone Works offers training in high-priority occupations - in-demand, career-focused, family-sustaining jobs.

For more information, visit **www.dli.state.pa.us/keystoneworks**.

COUNCIL 13
AFSCME
UNION LABEL