CLAIMANT HANDBOOK
A Guide to Unemployment Insurance Benefits:
Your Rights and Responsibilities

To file your claim:
UI4U.MT.GOV

For up-to-date information:
UID.DLI.MT.GOV

Una versión en español está disponible a petición.
También en uid.dli.mt.gov haga clic en “Acerca de UI.”

Revised 11/2018
## TABLE OF CONTENTS

This UI Handbook is divided into sections. Listed below are the section captions and potential questions answered in that section.

<table>
<thead>
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What is Unemployment Insurance (UI)?
UI is a program to pay short-term benefits to eligible workers to help lessen the negative impact that being out of work has on the economy. UI requires week-to-week eligibility; it is not public assistance, Social Security, or a disability payment program. Employer taxes pay all costs. No money is deducted from your paycheck.

Help us to help you.
We want to help you through your time of unemployment. To make sure you are paid benefits in a timely manner, you need to:
• Provide accurate information
• Respond to requests for information on time
• Meet all the requirements for qualifying for benefits.
You are required to read and understand the information in this handbook.

For Fastest Service:
File your claim, reactivate a claim, request payment, or check the status of your claim online at ui4u.mt.gov – it is safe, secure, and available 24/7/365.

Fraud is a serious crime.
Detecting and prosecuting cases involving UI fraud is a high priority for Montana’s UI program. Claims are audited regularly to ensure benefits were properly paid according to state and federal law. See page 16 for what is considered fraud, how to report fraud, and how to avoid penalties and prosecution.
ACCOUNT INFORMATION & PROFILE DETAILS

Personal Identification Number (PIN)
You must establish a 4-digit PIN, which allows secure access to your claim at ui4u.mt.gov. This number, along with your Social Security number, will identify you when you access your claim online. If you filed your claim over the telephone, you need to establish your PIN at ui4u.mt.gov.

Your PIN is your signature. You are the only one who has the legal authority to use it. Do not share your PIN with anyone. If another person has knowledge of your PIN, change it by going to ui4u.mt.gov or calling Claims Processing to reset it. Sharing your PIN or having another person such as a spouse, friend, or relative file for benefits on your behalf can be considered fraud.

Personal Agent
If you want to allow another person to assist you or act on your behalf, contact Claims Processing to request your personal agent authorization. A customer service representative will explain the rules and send you an agent designation form. Allowing another person to act on your behalf or access your claim without first completing the form could result in a denial of benefits and/or fraud penalties. You will be responsible for any actions taken by your designated personal agent.

Change of Address
Keep your mailing address and phone number current with UI. Mail and phone are the primary ways we contact you for information affecting your claim. If we cannot contact you, your benefits may be stopped.

Mail from UI is not forwarded by the Post Office even when you have filed a change of address with them. Failure to update your address or respond to requests for information may cause benefits to be denied.

You may receive mail or requests for information even after your claim has expired.

Direct Deposit
Direct deposit is a quick, convenient, and secure way to receive your benefit payment. Depending on your bank, your deposit is usually available two business days after the payment issue date.

To sign up for direct deposit, log in to ui4u.mt.gov and select “Update Bank Account Information for Direct Deposit.” You will need your bank account and routing numbers. Claims Processing cannot verify or enter this information for you. If you are receiving payments by direct deposit, it is still your responsibility to keep your address current by updating it at ui4u.mt.gov or by calling Claims Processing.

Once you are no longer requesting payment, it is recommended you log in to ui4u.mt.gov and de-activate direct deposit by clicking on “Update Bank Account Information.”
FINDING A JOB
MAKE YOUR JOB APPLICATION WORK FOR YOU
Job Service Montana offices are your full-service, no-fee employment resource.

Staff in your local Job Service Montana offices can assist you in your job search by:

- Discussing approaches to finding a new job and helping you develop a work search plan.
- Reviewing your application materials and providing assistance with writing résumés and cover letters.
- Showing you resources and tools you can use when submitting applications for employment.
- Exploring re-employment and re-training services that may be available.

Additionally, if you need access to a computer, fax machine, telephone, or copier for applications and résumés, your local Job Service Montana office will help you.

All Job Service Montana locations and their phone numbers are listed on the right. You can also check the State Government pages of your local phone book or https://montanaworks.gov/job-service-montana for contact information for your nearest Job Service Montana office.

JOB SERVICE MONTANA PHONE NUMBERS

<table>
<thead>
<tr>
<th>Location</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>Billings</td>
<td>(406) 652 3080</td>
</tr>
<tr>
<td>Bozeman</td>
<td>(406) 582 9200</td>
</tr>
<tr>
<td>Butte</td>
<td>(406) 494 0300</td>
</tr>
<tr>
<td>Cut Bank</td>
<td>(406) 873 2191</td>
</tr>
<tr>
<td>Glendive</td>
<td>(406) 377 3314</td>
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<tr>
<td>Great Falls</td>
<td>(406) 791 5800</td>
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<tr>
<td>Havre</td>
<td>(406) 265 5847</td>
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<tr>
<td>Helena</td>
<td>(406) 447 3200</td>
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<tr>
<td>Kalispell</td>
<td>(406) 758 6200</td>
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<tr>
<td>Lewistown</td>
<td>(406) 538 8701</td>
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<tr>
<td>Libby</td>
<td>(406) 293 6282</td>
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<tr>
<td>Miles City</td>
<td>(406) 232 8340</td>
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<tr>
<td>Missoula</td>
<td>(406) 728 7060</td>
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<tr>
<td>Polson</td>
<td>(406) 883 7880</td>
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<tr>
<td>Sidney</td>
<td>(406) 433 1204</td>
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<tr>
<td>Thompson Falls</td>
<td>(406) 827 3472</td>
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<tr>
<td>Wolf Point</td>
<td>(406) 653 1720</td>
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MONTANAWORKS.GOV

To remain eligible for Unemployment Insurance benefits, you must create an account at MontanaWorks.gov and follow instructions you receive via email, or register in person at a Job Service Montana office. If you live outside of Montana, you must register with the Workforce Agency in your state.
WHAT YOU NEED TO KNOW WHEN FILING FOR BENEFITS

Your UI benefit eligibility is based on the laws and rules governing the UI program.

- Accurately report the reason you are unemployed when you file your claim.
  
  To determine your eligibility and to process your claim, you must provide dates of employment and reasons you are no longer employed for ALL employment you have had in the last 18 months, no matter how short the duration.

  You must also report any quit or discharge you experience while you are requesting benefit payments. Reasons you are no longer working for an employer can be:

  • **Laid off** means the job is not continuing because the employer has no more work available.
  • **Discharged** means the job is continuing, but your employer does not want you to do the job anymore.
  • **Quit** means the job is continuing, but either you do not want to, or are unable to keep doing the job.
  • **Still working** means you are working less than the hours you typically work.

- **Read this Claimant Handbook and any correspondence from UI very carefully.**
  
  You are responsible for knowing and understanding your rights and obligations as outlined in this handbook. Knowing the requirements will help you meet your obligations under the law, better understand requests for information or notices you receive from UI, and avoid Overpayments, penalties, and fraud. If after reading this handbook you have any questions or concerns, please contact Claims Processing.

- **When you file your claim, you will be required to sign a Claimant Agreement.**
  
  If you file online, you can sign the agreement online. If you receive an agreement in the mail, you must sign and return it by the due date listed. Benefits will be stopped if we do not receive a signed agreement.

- **You must register for work with Job Service Montana unless you are told otherwise by UI.**
  
  Create an account at MontanaWorks.gov and follow instructions sent via email, or register in person at a Job Service Montana office. Failure to register will stop payment.

  - Registration with a state Workforce Agency must be created in the state where you are living and receiving your mail.

- **Filing your claim is not the same as requesting payment.**
  
  Once your claim is filed, you must request (bi)weekly payments to receive benefits. Requests can be made beginning Sunday through Saturday for the previous week (or two weeks).

  Report all hours you worked and any wages you earned when you file your payment requests.

  - Incorrect reporting of hours and earnings may result in an Overpayment or Underpayment. See pages 20 and 21 for information on working part-time and page 25 for how to record your hours and earnings.

  - If you are a corporate officer filing for benefits, you fall under the same reporting requirements when filing for benefits as any other employee, even if you are not paid for hours worked.

- **If you have an Eligibility Issue pending, continue filing your payment requests while you wait.**
  
  Once the outstanding Eligibility Issue is resolved and if you are found eligible for benefits, you will receive back pay for any week(s) you had requested payment and met the weekly eligibility criteria, except the Waiting Week.

For up-to-date information about your eligibility or payment status, log in to ui4u.mt.gov and click “View Claim Information.”

See page 26 for explanations of UI terms.
ELIGIBILITY FOR BENEFITS

Eligibility for benefits is based on all of the following:

1. Your wages over the past 12-18 months (your Base Period – see page 8).
2. The reason you are no longer working.
3. Your physical and mental ability and availability for work.
4. Your efforts to apply for work.
5. Verification of your citizenship or legal-to-work status if you are not a US citizen.

Your current/most recent employer and all employers you have worked for within the last six weeks of filing or reactivating your claim will be asked specific information about your separation. UI will investigate the reasons surrounding your separation from employment. The time this process takes varies and depends on the circumstances of your separation. All parties involved are allowed appropriate time to respond. Responding promptly may help you receive a decision more quickly.

Waiting Week

The first week you are eligible is called your Waiting Week. You must file a payment request and meet all eligibility requirements, however you will not get paid for this week. Your payments will start with the next week you make a payment request and are eligible. There is only one Waiting Week per Benefit Year.

You may receive benefits if you:

- Were laid-off or your hours were reduced, because of lack of available work with your employer;
- Left employment and can show it was for good cause related to the job;
- Are unemployed because you or your child were a victim of domestic violence, stalking or sexual assault;
- Were discharged from your job for reasons other than misconduct.

You may not receive benefits if you:

- Left your job for personal reasons that were not work related;
- Were suspended or discharged (fired) for misconduct;
- Did not report a verifiable work application or submitted résumé;
- Are on an employer approved leave of absence;
- Did not provide accurate information, did not respond to requests for information, or did not file a payment request on time;
- Are not available to work the hours or days customary to your occupation;
- Are not willing to accept the same wage you received from your last employer;
- Are self-employed full-time;
- Are currently receiving workers’ compensation for an on-the-job injury;
- Limit the hours you can or are willing to work to less than 40 hours per week;
- Fail to register for work at MontanaWorks.gov;
- Are not working due to a strike or labor union dispute (special laws govern these claims).

Failing to report that you quit, or were fired, and reporting you are available for work when you are not is considered fraud.

GROSS MISCONDUCT – A criminal act, other than a violation of a motor vehicle traffic law, which you have been convicted of in a criminal court or have admitted guilt. Also includes conduct that demonstrates a flagrant or wanton disregard of the rights, title or interest of a fellow employee or the employer. The penalty is 52 weeks of disqualification.
STEPS TO DETERMINE YOUR ELIGIBILITY, AMOUNT, AND LENGTH OF BENEFITS

We use three factors to determine your eligibility for UI benefits: (1) Your Base Period or Alternate Base Period wages; (2) the reason for your job separation; and (3) your (a) continuing ability to work, (b) availability for work, and (c) applications for work. If we discover an Eligibility Issue, it will be posted on ui4u.mt.gov. When the issue is resolved, you will receive a Notice of Determination.

1. Determining Your Base Period Wages

   • The Base Period is the 12 months of reported wages used to determine your Weekly Benefit Amount (WBA) and the number of weeks you may be paid benefits.
   • The Base Period includes the first four of the last five completed calendar quarters before the week in which you file your application for benefits. A calendar quarter is a three-month period ending March 31, June 30, September 30, or December 31.

For example:

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<th>If your claim is effective between the following dates:</th>
<th>Your Base Period would be the preceding:</th>
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<td>October 1 to September 30</td>
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<tr>
<td>April through June</td>
<td>January 1 to December 31</td>
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<tr>
<td>July through September</td>
<td>April 1 to March 31</td>
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<tr>
<td>October through December</td>
<td>July 1 to June 30</td>
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If you are not eligible on a regular Base Period, UI will use an Alternate Base Period (ABP) to determine your eligibility. Once UI makes its determination, we will send you a Monetary Determination notice. Using the example below on the right, it will show:

1. ID - this number is used as an individual identification on most documents sent to you. It replaces your Social Security number, to help prevent identity theft.
2. Claim Effective Date is the Sunday of the first week of your claim year.
3. Claim ID is the identification number of your current claim.
4. Claim End Date marks the end of your benefits. However, you may use up (exhaust) all of your Maximum Benefit Amount prior to that date.
5. Type of Determination indicates whether this is your initial (first) determination or if it is a revised determination due to corrections or updates to your wage records.
6. Base Period Dates start and end the wage period used for calculating your eligibility.
7. Appeal By Date is the deadline for disputing the eligibility information provided in the Monetary Determination.
8. Names of Employers you worked for in the Base Period and the quarterly gross wage they reported.

See page 26 for explanations of UI terms.
Determining Your Base Period Wages (cont’d)

Review your Monetary Determination notice for accuracy. All Base Period wages should be listed. If you had wages from any federal, military, or out-of-state employment, the notice will indicate “pending.” That means we are waiting for information from another source and you will receive a new Monetary Determination notice once this information has been verified. If you believe the wages or employers listed are wrong or there are wages or employers missing, contact Claims Processing. Inaccurate wages could result in a benefit Overpayment or Underpayment. You can also review your Monetary Determination by logging into ui4u.mt.gov and selecting the “View Claim Information” link.

Even if your Monetary Determination shows you qualify for a Weekly Benefit Amount (WBA), all other eligibility requirements must be met each week that you request payment.

If your Monetary Determination indicates you are ineligible due to insufficient wages, you may request that your wages be adjusted from “as paid” to “as earned.” For example, if you worked the last week of December but will not be paid for that week until the month of January, you can request the “as earned” adjustment. In that case the wages will be applied to the week you earned them. This adjustment will occur for wages across every quarter in the Base Period, not just the last quarter. Contact Claims Processing to discuss this option.

2. Determining Reason for Job Separation

- Both you and your employer have the right to end your working relationship. The circumstances of your separation will determine whether you are eligible for benefits.
- You must report the reason for your separation accurately. It will be verified with your employer. If your separation is due to suspension, leave of absence, quit, or discharge, we will ask you and your employer for detailed information. Your eligibility will then be determined based on state and/or federal law.

3. Able, Available, and Applying for Work

- You must be:
  - Physically and mentally able to work;
  - Available to accept work immediately if a job is offered;
  - Actively applying for work and meeting your work search requirements.
    - Be sure to keep a complete record of your weekly work applications for the Benefit Year in case you are selected for an audit. Track them according to the instructions and example on page 24.
- You must register for work at MontanaWorks.gov or in person at your local Job Service Montana office (see page 5).
  - If you live outside of Montana, you must register with the Workforce Agency in your state.

FOREIGN RESIDENCE OR FOREIGN TRAVEL—If you plan on being outside of the United States at any time while you are requesting payments, you must call and notify Claims Processing immediately at (406) 444 2545.

ALIEN STATUS – Only U.S. citizens, nationals, or legally authorized workers are eligible for UI benefits. If you are not a U.S. citizen or national, you must provide a copy of the front and back of your registration card so your status can be verified by US Citizenship and Immigration Services (USCIS).

DOUBLE-DIP – You cannot collect benefits on a new claim if you have not had a new job since the initial separation from work on the prior year’s claim. You cannot file for two consecutive years without a new job.
PAYMENT INFORMATION

How and when do I get paid?

You request payment online at [ui4u.mt.gov](http://ui4u.mt.gov) for each week you want to get paid.

The UI week begins on Sunday and ends on Saturday at midnight.

You can request weekly or biweekly (every two weeks) payments. Remain consistent with whichever method you choose.

When requesting benefits, it is important to answer questions accurately.

**EXAMPLE 1** - If your first two weeks run the 1st through the 14th and you decide to file for benefits biweekly:

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<th>Wednesday</th>
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<th>Saturday</th>
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<td>5</td>
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<td>7 (End of first Benefit Week)</td>
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<td>8 (Start of second</td>
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<td>11</td>
<td>12</td>
<td>13</td>
<td>14 (End of second Benefit Week)</td>
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<td>Benefit Week)</td>
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<tr>
<td>15 (File online between 12:01am MST this day and...</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21 ...midnight MST of this day for the past two Benefit Weeks)</td>
</tr>
</tbody>
</table>

**EXAMPLE 2** - If your first week runs the 1st through the 7th and you decide to file for benefits weekly:

<table>
<thead>
<tr>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 (Start of Benefit Week)</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7 (End of Benefit Week)</td>
</tr>
</tbody>
</table>

| 8 (File online between 12:01am MST this day and... | 9      | 10      | 11        | 12       | 13     | 14 ...midnight MST of this day for the past Benefit Weeks) |

NOTE: A direct deposit payment is available to you at most banks within two days of the payment clear date shown on your ui4u.mt.gov online account. It may take longer to receive payment when a check is issued and mailed.

**IMPORTANT**

Do not wait more than 14 days between payment requests or your claim will become inactive and must be reactivated before benefits can resume. The first eligible week of a new claim is a Waiting Week.

You must request payment for the week even though you will not be paid.
You must respond to all requests for information from UI, even if your claim is inactive. Not responding could result in a benefit Overpayment and/or denial or delay of future payments.

Your UI benefit payments are taxable under federal law.

You can have 10% withheld from your (bi)weekly payments for tax purposes. This option is available on ui4u.mt.gov or in the documents sent to you.

In January, UI will mail you an IRS 1099-G form that shows benefits paid in the prior calendar year, so keep your address up to date with UI. You can also view and print your 1099-G at ui4u.mt.gov.

Questions about taxes on UI payments should be directed to the IRS.

How do I stop my benefit payments?

To stop your benefits, just stop filing your (bi)weekly request for payment. Your claim will become inactive after two weeks; it can be reactivated at any time during the Benefit Year.

Your claim will also become inactive and no further payments will be processed, if, for two consecutive weeks:

- You work 40 hours per week or your typical number of hours, or more;
- You earned twice your Weekly Benefit Amount (WBA);
- You answered “No” to the question, “Do you want to file for this week?”;
- Any combination of the above.

How do I restart my benefit payments?

Reactivate your claim during the week you want your benefit payments to resume.

You can reactivate it on ui4u.mt.gov or by calling Claims Processing. You will be asked to provide dates and business names of any employers you recently worked for. After your claim is reactivated, you can resume filing your (bi)weekly requests for payment. If you do not reactivate your claim during the week you want benefits to start, you will not be paid for that week.

You should reactivate in the first week you are off work or your hours are reduced.
For every week you request payment, you must be:

1. **Able to Work** – If you were physically or mentally unable to work during a week you file for benefits, you must report this when you request your (bi)weekly payment.

2. **Available for Work** – If you are unavailable to work for any reason, you must report this when you make your (bi)weekly payment request. For example:
   - You cannot work due to a personal circumstance like lack of childcare or transportation.
   - You take time off from work or do not work all your normally scheduled hours for reasons other than a reduction in hours by your employer.

3. **Applying for Work** – You must submit at least one application or resume each week you request benefits. You must apply for a job you are qualified to perform and willing to accept. You will be asked to provide your work search contacts each week you file for payment. (See page 24 for details.)
   - Applications or résumés need to be submitted during the Benefit Week (Sunday-Saturday) for which you are requesting payment.
   - Applications or résumés should be submitted to an individual who has hiring authority, using the mail, Internet, or fax, depending on how the employer requested you apply.
   - Applications cannot be made with the same employer two weeks in a row, unless it is for a different position.
   - You are required to report your application information on your (bi)weekly payment requests. If this information is not entered or is incomplete, you will be denied benefits for that week.
   - Record your job application efforts and keep your records in case your claim is selected for an audit. Reporting that you applied for work when you have not is fraud.
   - Working part-time does not exempt you from seeking full-time employment or additional part-time employment adding up to full-time (40 hours or more per week).

Tips to help you meet work search requirements:

Know what kind of work you are qualified for and where to find it.

- Make a list of potential employers and current job openings by checking with your local Job Service Montana office, help wanted ads, online job portals, etc.
- Apply for work in person, via Internet, or by mail. Just checking online job listings, the Job Service Montana boards, help wanted ads, or calling a business to ask if they are hiring does not meet your work search requirement – you have to actually apply for a job each week.
- Apply only with employers who are hiring or are willing to keep your application on file.
- Seeking self-employment does not meet your work search requirements.
- Applications may be verified with the employer. Keep copies of the applications, submission confirmations, or emails as proof of your work search.

See page 24 for more details on the work search requirement and an example of the type of information you should record from your job applications.

You may be excused from the weekly work search if you are:

- Informed by Unemployment Insurance that work search requirements are waived.
- Job Attached: This means you have an approximate date of hire, or return to work, at 30 or more hours per week. Even if you are job attached you must still be able and available for work, and must report separations from any employment. If you accept an offer of employment but will not start right away, call Claims Processing.
- Union Attached: This means you are a member of a union with a hiring hall, and you are on the out-of-work list.

Job or Union Attachment may be verified with your employer or union.
Special Requirements

All claimants who are not Job or Union Attached and who are not attending department approved training may be scheduled to attend a required in-person appointment at their local Job Service Montana office.

This appointment will introduce you to programs designed to help you return to work more quickly. Job Service Montana is the primary contact for these programs. Depending on your situation, you may be required to complete additional follow-up services. Services you may receive include:

- Orientation to the local Job Service;
- Labor Market Information for the local area and your specific occupational goals;
- Assistance with overcoming any possible barriers to obtaining gainful employment.

If you do not attend the scheduled appointment or reschedule promptly, you will be denied benefits.

What if you are unemployed for more than 3 months?

If you are unemployed for an extended period of time, you may have to apply for jobs that are not equal to your previous work in terms of pay, benefits, position type, etc. After you have requested benefits on your claim for 13 weeks, you must be willing to accept work paying 75% of your previous wage in the type of work you have previously done or have the training to do, but never less than the state or federal minimum wage, whichever is higher.

FIVE R’S TO REMEMBER WHEN FILING FOR UI BENEFITS

REVIEW the Monetary Determination notice. This form shows you how much you may receive each week and the total amount in your claim. If there are wages missing or wages were incorrectly reported, contact Claims Processing.

REQUEST payment each week or (bi)weekly. After you have filed your claim you must request payment for each week you wish to receive it. You can request payment online at ui4u.mt.gov.

REPORT each week:

- Any quit or discharge from employment.
- If you refused any offer of work or took time off work.
- Work hours in the week you worked them.
- Wages in the week they were earned, not the week paid.
- Work applications or continuing Job or Union Attachment when requesting (bi)weekly payments and you are asked “Did you apply for work this week?”

RESPOND to all requests for information you receive from us, whether we send mail or call you (voice mail).

We may need more information from you in order to determine if you are eligible for benefits. If we are unable to obtain that information, payment of benefits may be stopped.

RESTART your inactive claim in the week you are out-of-work or your hours are reduced.

Your claim will become inactive if, for two consecutive weeks:

- You do not request payment;
- You work 40 hours or your typical number of hours during the week;
- You earn more than twice your Weekly Benefit Amount (WBA) during the week;
- You answer “No” when asked if you would like to request payment for the week;
- Any combination of the above.

You can restart and reactivate your claim online at ui4u.mt.gov or by calling Claims Processing.

REFUSING WORK – Refusing work has serious consequences. If you refuse an offer of work while requesting payments, you must report this on your (bi)weekly payment request. Failure to report work refusals is considered fraud.

TAKING TIME OFF WORK – You may be denied all or a portion of benefits if you take time off or miss scheduled work for any reason. If you request time off in advance for hours you would normally work, this must be reported as time off. Failure to report time off is considered fraud.
Below are the questions you will be asked when completing your (bi)weekly payment request. Having these pages on hand when you file will help reduce errors that could delay payment. Inaccurate or untruthful answers to these questions may be considered fraud.

Payments can be delayed due to state holidays or Eligibility Issues. Check your claim online on ui4u.mt.gov to see if there are Eligibility Issues being reviewed. Please allow us time to research these before calling. We will contact you if we need additional information.

You will be asked the following questions* for each week you request benefit payments:

*These questions may change due to updated program requirements.

Do you want to file for week ending...?

“Yes” means you wish to receive benefits for that week. If you worked your typical work hours or 40 or more hours that week, you cannot receive benefits.

1. Did you quit or get fired from a job this week?
   “Yes” means you separated from a job for a reason other than a reduction in hours or a layoff due to lack of work.

2. Did you take time off or miss scheduled work for any reason this week?
   “Yes” means that during the week claimed, you took time off from work or missed work for a reason other than a reduction in hours by the employer (for example, scheduled vacation time, doctor appointments, etc.). “No” means you accepted all work available during this week.

3. Did you apply for work this week?
   “Yes” means you made your required work application this week. You will be asked to provide information on the business you contacted. The information asked can be found on page 24 or contact Claims Processing. “No” means you did not submit a resume or application this week. You will need to explain why you did not look for work, or you may be asked for your job or union attachment information. If you are uncertain of your work search requirements, refer to pages 12, 13, and 24 or contact Claims Processing.

4. If work had been available, were you physically and mentally able to work?
   “Yes” means you had no physical or mental condition that would have prevented you from working or accepting work at any time during this week.

5. Were you available to work this week?
   “Yes” means you could have worked the hours and days normal for your occupation, had transportation to get to work, had childcare available if needed, etc. Available to work means you are ready and willing to accept work. If you are Job or Union Attached, you must be ready and willing to return to work at any time when notified by your employer or union, even if you have an established return to work date.

6. Did you attend school or were you in training this week?
   “Yes” means you were attending full or part time school, training, or online courses during this week.

7. Were you referred for a job interview by Workforce Services (Job Service) this week?
   This question does not refer to Job Service Montana notifications of job openings. If your answer to this question is “Yes,” you will be asked “Did you report for the job interview you were referred to by Workforce Services (Job Service) this week?”

8. Did you refuse any work during this week?
   “Yes” means you turned down work offered to you or you did not work all the hours that were available to you.
The next series of questions refers to your hours of work and earnings or other payments for the week. Report gross earnings, which means pay before taxes and other deductions. Have your hours of work and earnings record available when you are filing your payment request. A form to record hours and earnings can be downloaded at uid.dli.mt.gov. See page 25 for an example and more information on hours and earnings reporting.

9. **Enter the total number of hours you worked this week.**
   Report hours worked in a Sunday through Saturday week, even if your work week is defined and paid differently. Include the number of hours worked for all employers that week, plus any hours you are paid wages by an employer to attend training. For this question, do not include hours of paid time off, such as vacation time, sick time, comp time. Report those under question 10.

Example: 6.25 hrs. + 7 hrs. + 7.25 hrs. = 20.5 hrs.
Report 20 hours (rounded down to the nearest whole hour).

**Total Earnings for Hours Worked This Week**
If you report work hours, you will be asked to enter total earnings for hours worked this week, even if you have not been paid. Report gross wages including tips, and room and board if they are part of your salary.

To calculate your earnings, multiply the total number of hours and partial hours you worked by your hourly rate of pay for all employers that week. Report your earnings rounded down to the nearest whole dollar.

Example: 20.5 hrs. x $8.50 per hour = $174.25.
Report $174 (rounded down to the nearest whole dollar).

10. **Enter total earnings for paid time off this week.**
    Earnings for paid time off include wages you have or will be paid for vacation time, sick time, compensatory time, or personal time off, etc.

11. **Enter total earnings for being on call this week.**
    Report all earnings you will receive for being on-call for your employer this week, even if you did not get called in to work.

12. **Enter the amount of bonus pay received this week.**
    You must report bonuses in the same week they are issued to you by your employer.

13. **Enter the amount of commission pay received this week.**
    You must report commission pay in the same week it is issued to you by your employer.

14. **Will you be paid for a holiday that occurred this week?**
   “Yes” means you will be paid for a holiday that occurred this week. You will be asked to enter the number of holiday hours. If you report holiday hours, you will be asked to enter total holiday pay. Enter the gross holiday pay you will receive, even if it has not been paid yet.

**REMEMBER**
Gross earnings are wages before taxes and other deductions. See pages 20 and 21 for additional information about reporting hours and earnings.
UI Fraud

Fraud is a serious crime. Reports of suspected fraud are thoroughly investigated. If you provide false information in order to receive or increase your UI benefits, you are committing fraud. If you commit UI fraud, you will have to repay any benefits received, plus an Administrative Penalty equal to 50% of those benefits. In addition, you may be disqualified from receiving benefits for up to 52 weeks and be subject to criminal prosecution for felony theft.

UI Fraud includes:

Misreporting hours worked or earnings.
- You must report all hours, paid or unpaid, you work each week.
- You must report all your earnings for the work you do each week. You are required to report your hours and gross earnings during the week you work and earn them, not when you get paid. Go to uid.dli.mt.gov and select “Claimants” - “Report Hours and Earnings” for more information on hours and earnings reporting.
- For an example of how to track your hours and earnings, see page 25.

Misreporting job applications.
- You must apply for work and report your job applications each week. If you are not applying for work, you are not eligible for benefits.
- For an example of the information required when reporting your work applications, see page 24.
- A form to record your work applications can be downloaded at uid.dli.mt.gov.

Being dishonest about why you are no longer working (or failing to report a job separation).
- You must report all job separations (quits and discharges) when filing or reactivating a claim, as well as while you are requesting unemployment benefits. Also report any work you refused while filing for benefits.

Misrepresenting your ability and availability to work.
- If you are not able and/or available for work due to, for example, illness, travel, or lack of transportation or childcare, you may not be eligible for benefits.

Committing “identity theft” by filing a claim under the name and Social Security number of another person or helping another person to file a fraudulent claim.
- You must not file for benefits using another person’s Personal Identification Number (PIN), Social Security number, or ID number, unless you are that person’s authorized Personal Agent (see page 4). You must also not allow another person to file for benefits for you using any of the above information, unless that person is your authorized Personal Agent (see page 4). Doing this may subject you to prosecution.

Failing to report workers’ compensation, disability, or Social Security payments.
- You must tell us if you receive any of these payments while you are requesting unemployment benefits.

Making a false statement or misrepresentation to receive payment.
- You must be honest and accurate when filing. Do not withhold information. Withholding information is just as serious as giving false information.
- If you have any questions about your reporting requirements, please contact Claims Processing.

TO REPORT UI FRAUD:
Call (406) 444-4385 or (406) 444-4387 or email dliuidci@mt.gov.
It is the responsibility of UI to ensure benefits are only paid when due. It is your responsibility to be honest and forthcoming in providing information for your claim. Some examples are:

- Separations from work
- Work applications
- Hours and earnings
- Incarcerations
- Job or Union Attached
- Receipt of disability payments
- Refusal of work
- Back pay awards
- Starting a new job or going back to work

**UI Overpayments**

**What happens if I get payments I am not entitled to?**

- Your Overpayment debt must be repaid in full. You will receive a Statement of Benefits Overpayment and a monthly bill from our agency.
  - If you are receiving UI benefits, your UI payments will be reduced by 50% each week. In case of fraud, the benefit offset may be up to 100%. Administrative Penalty fees cannot be offset by a reduction in benefits.
  - If you are not receiving UI benefits, you must arrange for regular payments.
- If the Overpayment amount is not repaid promptly, one or more of the following actions may be taken:
  - Your debt may be sent to the Department of Revenue (DOR) for collection through interception of payments from the state (primarily state income tax refunds). You will also be charged a collection fee by DOR.
  - Your federal income tax refunds may be offset to collect the debt, if the Overpayment was the result of fraud or failure to report earnings. You will also be charged a collection fee.
  - A lien may be filed against you.
  - Your debt may be transferred to an outside collection agency. You will also be charged a collection fee.
  - Lottery winnings you claim may be intercepted.
  - Your wages may be subject to garnishment.

**Waiver of Overpayments**

A waiver of your Overpayment debt may be granted in cases where the Overpayment was the result of a department error or if the repayment would cause you a long-term financial hardship, provided the Overpayment is not the result of fraud. Call (406) 444-3783 to ask for a waiver request form.

**Offer in Compromise**

UI may consider an offer to settle your non-fraud Overpayment debt via a lump-sum payment of less than the outstanding balance. Please contact Overpayments staff at one of the following numbers to discuss this option: (406) 444-2767, (406) 444-3198, or (406) 444-3711.

**Claim Audits**

UI has audit programs to ensure benefits are paid correctly. Claims are randomly selected for audit. If you fail to respond in a timely manner or refuse to cooperate in the audit, you will be denied benefits. The types of audits are:

- **Benefits Accuracy Measurement (BAM) Audit** – Reviews past employment, work applications, hours worked and earnings during your claim, and any additional information related to your claim.
- **Claims Investigation Audit** – Quarterly review of your reported hours and earnings in comparison to employer wage reports.
- **Audit of Work Applications** – Review of your weekly job applications and verification with employers.
- **Verification of Job and/or Union Attachment** – Review of your ongoing connection to your employer or union.

**REMEMBER**

If you have returned to full-time work or your typical work hours, you are no longer eligible for benefits.
School Employment

If you have worked for a school, your wages and eligibility have to be reviewed based on this type of employment. UI needs to determine if you have reasonable assurance of returning to work for a school.

Reasonable assurance means there is a written, oral, or implied agreement that you will perform services in the same capacity after scheduled breaks or in the next academic term. This applies regardless of the position you held with the school.

School wages may be excluded when determining your Weekly Benefit Amount (WBA) during a scheduled school break.

Training or School Attendance

You might be eligible for UI benefits while attending school or training. Your coursework or training will be reviewed based on its capacity to improve your employability or increase your earning potential.

All coursework must be reported. This includes classroom attendance and taking online or correspondence courses.

Employer-required training for which you are paid regular wages is considered work. You must report these hours and earnings when filing your (bi)weekly payment request, but you can answer “No” to the question “Did you attend school or were you in training this week?”

Scheduled school breaks are breaks shown on a school’s official calendar (for example, winter break, spring break, summer recess).
Eligibility Determinations

You will receive a written Notice of Determination for each Eligibility Issue affecting your claim. Read these notices carefully and completely.

Appeal Process

An appeal is a request to review a Determination, Redetermination, or Hearing Decision you do not agree with. You have the right to appeal decisions made on your claim. Your employer has the right to appeal a decision related to your separation from work. You or your employer have ten (10) days from the date of the Determination, Redetermination, or Hearing Decision to file an Appeal. Carefully read each Notice of Determination, Redetermination, or Hearing Decision you receive for specific instructions on how to file an Appeal.

The process:

• If you or your employer disagree with a Notice of Determination, either of you can request a Redetermination. You will be asked to provide a reason why you disagree and any new supporting facts. A Notice of Redetermination will be mailed to all appropriate parties.

• If you or your employer disagree with the Notice of Redetermination, either of you may appeal to the Office of Administrative Hearings. You can appeal online at dli.mt.gov/hearings and click on “Unemployment Insurance Appeal Form” button, or through ui4u.mt.gov, or by following the instructions for mail or fax on the Request for Appeal page that accompanies your Notice of Redetermination. Once you appeal, watch your mail! You will receive a Notice of Hearing with a specified time and date for a telephone hearing. An impartial hearing officer will call you to participate in the hearing on the date and time set on the Notice of Hearing. After the hearing, a Hearing Decision will be mailed to all interested parties. To learn more about the telephone hearing process, go to dli.mt.gov/hearings.

Keep requesting payments while your Appeal is being processed. If the decision allows you to receive benefits, you will be paid only for the weeks you filed on time and are qualified for. If a decision that allowed you benefits is reversed, you will be required to repay any benefits you received for the weeks you should have been disqualified.

Requalification

Requalifying for benefits is different than appealing a decision: it ends your disqualification or ineligibility, but you will remain ineligible up to the end date.

You may requalify to receive benefits if:

• You were discharged and you provide proof of enough earnings from a new job that is covered by UI.

• You quit a job and provide proof of either new wages or attendance for three consecutive months of appropriate training at a state-accredited educational institution.

• You become able, available, and you are actively applying for work.

• You separated due to health reasons and you meet specific requirements. For more information, call Claims Processing.

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1 The Office of Administrative Hearings is an impartial entity within the Department of Labor and Industry, separate from the Unemployment Insurance Division.

2 To learn more about the telephone hearing process, go to dli.mt.gov/hearings and click on “Unemployment Insurance Hearing Video” button.
HOURS & EARNINGS AND WORKING PART-TIME

How many hours can I work and still get benefits?

If you work full-time (40 hours) or your typical hours in any week, you will not be eligible for benefits. Typical hours means the average number of hours you worked each week during your Base Period. This number is subject to verification by UI.

Can I work part-time and still get UI benefits?

You may be eligible for partial UI benefits if you meet eligibility requirements. A Partial Benefits calculator is available on ui4u.mt.gov, or see the example on page 21.

How do I report my earnings?

Follow the guide below to determine when to report each type of earnings. Do not wait to receive your paycheck to enter your hours and earnings. There is an hours and earnings recording example on page 25. It is important to report your hours and earnings accurately to avoid an Overpayment or Underpayment.

To report your earnings, multiply your hours worked by your gross hourly wage. Once this calculation is done, round down to the nearest hour after this calculation and report this number. To report your earnings, calculate the number of hours and partial hours multiplied by the rate of pay for each job. Do the same calculation for each job you worked during the week. Add the totals for each job together and round the grand total down to the nearest whole dollar. Report this amount.

These earnings must be reported the week they are earned:

- Earnings from hours worked (gross pay)
- Earnings from use of personal paid time off, vacation, sick leave, and payments for attending training
- Holiday pay for the week the holiday occurs
- Tips
- Room and board or other non-cash payments – You must report the actual value of room and/or board or non-cash payments you receive as earnings for the week.

These earnings must be reported the week in which the payment was issued by the employer:

- Commission pay
- Bonuses – cash payments or gifts in lieu of cash
- Pay out for accrued leave (cash out), for example, vacation time, sick time, personal time

The following are payments that should have been reported when you filed your claim. These payments may reduce your (bi)weekly payment amount:

- Termination pay, including separation/severance pay - Should be reported when you open your claim and when you file your (bi)weekly payment request for the week of separation.
- Application for or receipt of retirement pay, disability benefits or pension, including Social Security.

Contact Claims Processing if you did not report this information at the time you opened your claim or if you start to receive these types of payments anytime while filing for benefits.

If you receive any payment not listed, or have other questions, contact Claims Processing.

See page 26 for explanations of UI terms.
How do I report my earnings? (cont’d)

Failure to properly report your hours worked and earnings may be considered fraud and subject to prosecution.

Other deductions that may reduce your (bi)weekly payment amount include:

• Child support payments
  - If UI receives a “withhold” order from a child support agency, money must be withheld from your benefits to satisfy the obligation. Only the child support agency can change or stop the deduction.

• Optional income tax withholding (10%, see page 11)

• Supplemental Nutrition Assistance Program (SNAP) Overpayment

• Repayment of overpaid benefits
  - If you have an Overpayment of UI benefits, 50% of your (bi)weekly benefit payment will be applied to your Overpayment.

• Workers’ Compensation
  - You must inform Claims Processing of any workers’ compensation benefits you are receiving. You cannot receive Unemployment Insurance benefits during any week you are covered by workers’ compensation benefits. It is your responsibility to report the workers’ compensation when you open or reactivate an Unemployment Insurance claim or if you begin receiving workers’ compensation benefits while you have an active Unemployment Insurance claim.

Some types of earnings may or may not need to be reported when you are filing your benefit requests. Examples of earnings that need to be reviewed by UI include:

- Self-employment earnings
- Earnings of sole proprietors and working members of partnerships and LLC’s
- Earnings of agricultural workers

Please call Claims Processing for reporting instructions if you have earned these, or any other non-standard wage.

EXAMPLE

Earning up to 25% of your Weekly Benefit Amount (WBA) does not reduce your payment. After that, your WBA will be reduced by $0.50 for each dollar earned. You can access the Partial Benefits calculator online at ui4u.mt.gov, or refer to the following example to figure out your Partial Benefits.

<table>
<thead>
<tr>
<th>Partial Benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
</tr>
<tr>
<td>Regular Benefit Amount</td>
</tr>
<tr>
<td>$154.00</td>
</tr>
</tbody>
</table>

*Round these amounts down to nearest whole dollar amount.
**What if my address changes?**

You must update your address within three business days. You can do that online at [ui4u.mt.gov](http://ui4u.mt.gov), or you can call or email Claims Processing. Mail from UI is not forwarded by the Post Office. It is your responsibility to let UI know when your address changes. If we cannot contact you, benefits may be stopped.

You may receive mail or requests for information even after your claim is inactive or has expired.

**Why haven’t I received a benefit payment?**

You can verify your payment status, and follow the progress of Eligibility Issues impacting payment on [ui4u.mt.gov](http://ui4u.mt.gov), under “View Claim Information.”

There may be several reasons why payment was not released:

- You have Eligibility Issues pending;
- You did not request (bi)weekly payments on time or your claim inactivated because you did not file payment requests for two weeks in a row;
- You reported too much earnings or worked your typical hours for two or more weeks in a row;
- You did not return paperwork in a timely manner;
- You have a disqualifying issue on your claim.

If the payment status on [ui4u.mt.gov](http://ui4u.mt.gov) indicates that “EFT Cleared,” check your bank account for the direct deposit. Direct deposit may take a few days from the processed date shown on your claim at [ui4u.mt.gov](http://ui4u.mt.gov) before funds are posted to your account. Holidays may delay your payment one business day. Contact your financial institution about late posting of payment. If your cleared payment has not posted and you believe an error occurred, contact Claims Processing.

If you are not signed up for direct deposit, payment will be mailed to you. If you did not receive it, the following could have happened:

- The letter with the check was returned due to a bad address. Once you notify us of the correct address, we will re-mail it.
- The check was lost or stolen. Call or email Claims Processing. We will mail a form to you to fill out and have notarized. After 14 days, a new check will be issued. Direct deposit eliminates this worry.

If you still have questions about a payment, call Claims Processing.

**Can I designate someone else to get information about my claim or request payment for me?**

Yes, but only if you have given written authorization to allow that person to handle or discuss your claim (see “Personal Agent” on page 4).

Allowing another person to have access to your PIN and file benefits for you without written authorization is considered fraud and may have serious legal consequences.

**Why am I waiting on an Eligibility Issue?**

UI investigates each Eligibility Issue on your claim. Both you and the employer will be given the chance to provide any supporting information or rebuttal as necessary. Conflicting information must be evaluated before a decision is made. This process is important to ensure the right decision is made and benefits are paid correctly.

**When should I call Claims Processing?**

You should call us to report any:

- Quit or discharge from employment;
- Refusal of work offered by an employer;
- Unpaid suspension from work;
- Time off, vacation, or leave of absence from work;
- Change in school status or schedule;
- New Self Employment;
- Workers’ compensation payments received or change in status of a workers’ compensation claim;
- Retirement or pension
- Back pay award, severance pay, or a settlement award.

**Do I need to report Social Security or workers’ compensation payments?**

Yes. See page 20 and 21.
Will you communicate with my employer(s)?

Yes. We will verify your separation information with your employer(s). Unemployment Insurance claims are also matched against new hire information reported by employers to ensure claimants are properly reporting their work hours and earnings.

Federal law requires all claims be subject to random audit. If your claim is selected, your work applications, earnings, and other information in your file will be verified. All this is done to ensure that only those who are entitled to benefits receive them. It is therefore important that you always provide complete and accurate information to us.

Can I get benefits after I’ve been disqualified?

Possibly. Some disqualifications apply to an individual Benefit Week, while others may affect the entire claim. There are two ways to potentially overcome a disqualification:

- You can follow the Appeal process.
- You can requalify as described in your Notice of Determination. See page 19.

My employer thinks I should get benefits. Why doesn’t UI agree?

Employers do not decide who gets benefits. UI reviews information provided by both you and your employer to determine if you are eligible based on Montana law and rule.

If I made a mistake when filing my (bi)weekly payment request, how can I correct it?

If you catch the error the same day, try logging out and back in to ui4u.mt.gov to re-enter your answers for the week. If the week in question is not offered, contact Claims Processing at (406) 444-2545.

Can I go to school and receive benefits?

Possibly. This could be the case when your school attendance does not interfere with your ability to find and accept full-time work, or you are in training approved by UI.

How long will my benefits last?

Every claim is different. When a claim is filed, it is open for a year, but the benefits may not last a full year. A Monetary Determination notice (see page 8) will be sent to you at the beginning of your Claim Year, informing you of your Maximum Benefit Amount (MBA) for the year. Once you have been paid your MBA during a Benefit Year, you must wait until that claim expires before opening a new Montana claim.

Do I need to register for work at the local Job Service Montana?

Yes. You must register for work online at MontanaWorks.gov or in person at the local Job Service Montana unless UI has determined you are Job Attached, Union Attached (see page 12), or in approved training.

What if I’m back at work and get a letter from UI?

Read and respond, if asked, to any letters you receive from UI. If you do not respond, future benefits may be affected or you may acquire an Overpayment.

What laws and rules govern Montana UI?

Montana Code Annotated, Title 39, Chapter 51 and Administrative Rules of Montana, Title 24, Chapter 11. Links to the Montana Law and Rules can be found at uid.dli.mt.gov.

Need information on the status of your payment?

Log into your account at ui4u.mt.gov and go to “View Claim Information.” Find out if your payment went out or why you may not have been paid.

For answers to other questions, call Claims Processing at (406) 444-2545, email us by logging into your claim at ui4u.mt.gov and clicking “Ask UI.” If you have not yet filed a Montana claim, you can also email us at ui4u@mt.gov. Include your name and phone number, but do not email your Social Security number.
WORK SEARCH REQUIREMENTS FOR CONTINUED ELIGIBILITY FOR UNEMPLOYMENT INSURANCE (UI) BENEFITS

You are required to:

- Make an active, good faith effort to secure employment each and every week for which benefits are claimed. Create an account at MontanaWorks.gov and follow instructions you receive via email, or register in person at a Job Service Montana office. Be actively applying for work and make appropriate employer work search contacts each week.

- Applications must be made within the week for which benefits are being claimed.
- You must apply for a job by completing a job application, submitting a résumé, or attending a job interview.
- All work search contacts must be made with a person (or entity) who has hiring authority and must be with employers who pay into Unemployment Insurance.
- The same employer may not be used for two consecutive weeks, unless requested by the employer or unless applying for different positions.
- Work search contacts must be for work you are willing and qualified to do and in a location you are willing to work.
- If you are working part-time, with no guarantee for full-time work, you must continue to apply for work.
- Registering with a temporary hiring agency can only be considered a work search for one week of the Claim Year.
- Include the business name, the person contacted, date of contact, the position you applied for, the telephone number of the business, the URL if an internet application, and the result of the contact.
- Keep copies of confirmations of applications/résumés submitted electronically to employers.
- Keep a detailed record of your work applications and employer work search contacts in case your claim is selected for an audit. Be able to produce your work search records when requested by the State of Montana.
- The Agency will conduct verification of work search contacts.

The following are not considered a weekly work contact:

- Checking back with a temporary agency for more work.
- Registering with Job Service Montana or checking for job openings online without applying.
- Using your current part-time employer as a work contact every week.
- Calling an employer and asking if they are hiring, without submitting an application or résumé.
- Seeking, or working in, self-employment.

If you are in Department of Labor approved training:

- You may not be required to register for work with Job Service Montana or apply for work while in approved training.
- You must register, be actively applying for work, and record work searches if training has ended, is not in session, or you are between sessions for longer than 30 days.

If you are approved by UI to be Job Attached or Union Attached*:

- You are not required to apply for work or register for work with Job Service Montana unless your Job/Union Attached status ends or cannot be verified.
- You must remain in contact with your employer or union hiring hall.
- If Union Attached, you must be on the out-of-work list.
- Job or Union Attached is verified by the Division.

*Check your claim record at ui4u.mt.gov to determine your Job/Union Attached status. If you are not sure if you meet the requirements for Job or Union Attachment, contact Claims Processing.

If you have questions or need further information, contact Claims Processing at (406) 444-2545, send an e-mail to ui4u@mt.gov, or check our website at uid.dli.mt.gov.

UI may audit your claim at any time for the Claim Year. You may be asked to produce documentation of your work search contacts or you may not be eligible for benefits.
REPORT MY HOURS & EARNINGS

You can download a printable version of this form to record your hours & earnings at uid.dli.mt.gov under “Printable Forms.”

Use a separate grid for every job and then add total hours and gross earnings from each job.

<table>
<thead>
<tr>
<th>Week Ending Date</th>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
<th>Total Hours</th>
<th>Hourly Pay Rate</th>
<th>Gross Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular Hours</td>
<td>0</td>
<td>8</td>
<td>4</td>
<td>5</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td>21</td>
<td>$10.00</td>
<td>$210.00</td>
</tr>
<tr>
<td>Overtime Hours</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hours at Different Rate</td>
<td></td>
<td></td>
<td>4.5</td>
<td></td>
<td></td>
<td>4.5</td>
<td></td>
<td></td>
<td>$15.00</td>
<td>$67.50</td>
</tr>
</tbody>
</table>

Report Hours: 25  Total Earnings to Report $277.00

Here are a few tips to follow to help you accurately report your weekly hours and earnings.

**Reporting Hours**

**A Benefit Week begins on Sunday and ends on Saturday.**

Keep a record of all hours you worked for each week you request benefits – including full hours and partial hours for all employers in the week.

Report the hours you worked for any employer in the week you performed the work. Report your hours as soon as you begin a new job or when you return to work.

Your report should include full-time work, part-time work, reduced hours, out-of-state employment, temporary work, and on-call. Report the hours you worked even if they are fewer than you normally work. Report hours worked in whole numbers after calculating your earnings using your total and partial hours worked (see example on page 20).

**Reporting Earnings**

Keep a record of your earnings for the time you work each week for any employer. Report all earnings from any employer in the week they are earned, not the week you receive payment. This includes full-time work, part-time work, reduced hours, in-state employment, out-of-state employment, temporary work, and on-call. Report your earnings as soon as you begin a new job or return to work, even if you have not been paid yet. Report gross earnings (before taxes are taken out), not net earnings. Report earnings from work performed in-state and out-of-state during the week. Calculate all earnings using hours and partial hours worked during the week multiplied by the exact hourly rate. Report earnings in whole numbers after your calculations (see example on page 20).

**Note:** If you are paid for vacation time used, sick time used, paid time off, on-call time, bonuses received, commissions received, or holiday pay, report these earnings separately when prompted by specific questions when you file your (bi) weekly payment request.

It is your responsibility to accurately report your hours and earnings. Do not rely on friends, coworkers, or your employer to explain how to report hours and earnings.

If you have questions on how to report hours and earnings not listed here, refer to the Unemployment Insurance website at uid.dli.mt.gov and go to “Claimants” - “Report Hours and Earnings” or call Claims Processing.

**How to Compute Hours Worked and Earnings on Your Weekly Payment Request**

**Step 1.** Add the hours and partial hours worked during the week.

**Step 2.** Multiply the total number of hours and partial hours times the rate of pay.

**Step 3.** Report the hours you worked during the week, rounded down to the nearest whole hour.

**Step 4.** Report your total earnings from the week, rounded down to the nearest whole dollar.
Administrative Penalty – Imposed when you did not provide important facts or correct information to get or increase benefits. The penalty is 50% of the overpaid benefit amount. You may also be disqualified from getting future benefits for up to 52 weeks.

Alternate Base Period (ABP) – Wages from the last four completed calendar quarters, at the time an initial claim for benefits is filed, that are used for determining benefit eligibility, if you are not eligible based on the regular Base Period (see below).

Appeal – A process for requesting a formal review of a prior UI decision. Both you and your employer may file an Appeal if you believe the decision is wrong under the law or facts or if you have new information. An Appeal must be filed within ten days from the date of the written decision. An Appeal can result in you having to repay benefits you should not have received.

The review of an initial UI decision is done by a different staff member and leads to a Redetermination. An Appeal of a Redetermination will lead to a Hearing before a hearing officer and result in a Hearing Decision. An Appeal of this decision will be heard by the Unemployment Insurance Appeals Board (Board). A Board decision may be appealed to District Court.

Base Period – Wages from the first four of the last five completed calendar quarters at the time an initial claim for benefits is filed, that are used for determining benefit eligibility. Your Weekly Benefit Amount (WBA) is based on how much you earned during this time.

Benefit Week – Seven days for which you have an active claim, beginning on Sunday and ending at midnight the following Saturday.

Benefit Year – Same as Claim Year (see below). A Benefit Year is 52 weeks, from the Claim Effective Date to the Claim End Date. After a Benefit Year ends, you are eligible to file a new claim.

Claimant Agreement – A form you complete that verifies you are a citizen, national, or permanent resident of the United States. You also acknowledge your obligations necessary to qualify for benefits. If you completed your claim online, you signed this form electronically. If mailed to you, it must be signed, dated, and returned within eight days of the mailing date.

Claim Effective Date – The Sunday of the week in which a claim is filed.

Claim End Date – The last Saturday of a Claim/Benefit Year.

ID- The identification number of your current claim.

Claims Processing – Where to call to open, reopen, or receive assistance with a UI claim. Staff gather information from claimants and employers, make eligibility decisions, and provide customer service to claimants and employers. Contact information is inside the back cover.

Claim Year – Same as Benefit Year (see above). 52 weeks from Claim Effective Date to Claim End Date.

Covered or Insured Employment – Work for which the employer pays UI taxes to cover potential benefits.

Eligibility Determination – A decision about your eligibility for benefits regarding a specific issue. You may receive multiple Determinations if there are several Eligibility Issues on your claim.

Eligibility Issue (Issue) – Any act or circumstance that requires a determination on your eligibility for benefits.

Full-time Work – Working 40 hours or more per week.

Hearing – An Unemployment Insurance hearing is similar to a telephone conference call. The parties (you and the employer in most cases) are contacted by an impartial hearing officer and each party can tell the hearing officer what they believe the relevant facts are related to the issue on appeal. You may have witnesses testify. You may ask questions of the other party. All testimony is given under oath. You may come to Helena to participate in person but generally are not required to do so. We recommend watching our hearing video at dli.mt.gov/hearings.

Hearing Decision – A document issued by an impartial hearing officer. The Hearing Decision identifies the relevant facts, applies the appropriate law, and reaches a conclusion on the issue before the hearing officer.

ID- A unique identification number assigned to you by UI the first time you file for UI benefits. This number will remain the same for any subsequent claims. You will find this number on any letter you receive from UI.

Inactive Claim – Most commonly, your claim becomes inactive if you do not file a payment request for two consecutive weeks. You can reactivate it at any time during the Benefit Year. See page 11 for other reasons your claim may inactivate.

Initial Claim – A new claim filed, establishing the Benefit Year.

Insufficient Wages – Your claim does not have enough wages in the Base Period to be eligible. Also referred to as “monetarily ineligible.”
**Job Attached/Job Attachment** – You have a verifiable guarantee from your employer that you will be working for at least 30 hours per week by a certain date. You must be able and available for offers of full-time work while receiving UI benefits. If you qualify for job attachment, you do not have to apply for work each week. Your employer may be contacted to verify your job attachment.

**Maximum Benefit Amount (MBA)** – The maximum amount of benefits potentially available during a benefit year. MBA is based on the wages earned in the Base Period of a claim. This information is located on the Monetary Determination notice.

**Misconduct** – Deliberate or careless disregard of an employer’s or another employee’s rights or interests. When a discharge was due to misconduct, benefits are denied.

**Monetary Determination** – A form mailed to you early in the claim process showing, if you are eligible, how much your payment will be each week. Also shows the Maximum Benefit Amount (MBA) and other details on your claim for that Claim Year. This form further lists all of the employers that you worked for during the Base Period and the wages that each employer reported each quarter. Be sure to check it for accuracy.

**Offer in Compromise** – A proposal to settle a non-fraud Overpayment by paying less than the total outstanding amount in one lump sum.

**Overpayment** – A payment of benefits you received but were not entitled to under Montana Law and Rules. Overpaid benefits must be repaid. See page 17 for details.

**Partial Benefits** – Amount of UI benefits you may receive while working reduced hours (less than your typical work hours).

**Personal Agent** – A person you have authorized to assist you or act on your behalf, for example, when filing a claim for benefits. You need to request and file an agent designation form with UI in order for someone to become your authorized Personal Agent.

**Personal Identification Number (PIN)** – A 4-digit number you select the first time you file for UI benefits online at [ui4u.mt.gov](http://ui4u.mt.gov). Along with your Social Security number (SSN), this identifies you to [ui4u.mt.gov](http://ui4u.mt.gov). You need this information every time you log into your account. It is important to remember and safeguard it.

**Redetermination** – The new decision, made by a different staff member and based on a thorough review of all the facts relating to an Eligibility Issue on your claim.

**Register for Work** – You are required to register for work by creating an account with Job Service Montana (or your state Workforce Agency if you reside outside of Montana). This can be done online at [MontanaWorks.gov](http://MontanaWorks.gov) or in person at your local Job Service Montana office (or state Workforce Agency). See page 6 for details.

**Separation** – When you or your employer end the working relationship. This can be a quit, discharge, leave of absence, suspension, or layoff.

**UI Taxes** – Employer-paid taxes. UI Taxes are not withheld from your pay.

**Underpayment** – You are receiving less benefits than you may be entitled to, caused by incorrect or incomplete information.

**Union Attached/Union Attachment** – You are an active union member. You get work through a union hiring hall and are on the out-of-work list as verified by the union. You must be available to accept offers of work.

**Waiting Week** – The first eligible week in a new claim where you request payment and no payment is issued. This week will not be paid, as it is used to help the agency establish the claim and finish the administrative process. You have to serve this week on any new claim and will only serve one Waiting Week per new claim.

**Weekly Benefit Amount (WBA)** – The maximum benefit you may be eligible to receive for one week if you have no reported earnings that week. This amount is located on your Monetary Determination notice.
LEGAL REQUIREMENTS

Privacy of Information

The Unemployment Insurance Program asks for your Social Security number by the authority of the Social Security Act 42 U.S. C. 405c (2)(i). You must provide your Social Security number to file an Unemployment Insurance claim. The Privacy Act of 1974 does not allow us to give information about your claim to anyone (including family members) other than yourself or your employer, unless you give us written authorization to discuss your claim with another person. We use your Social Security number to verify your identity and properly process your claim. Previous employers and other state or local government agencies, including the University system, may release to the Department of Labor and Industry any information, including your Social Security number, required for the proper administration of your claim. We also use your Social Security number to report the amount of Unemployment Insurance benefits you receive to the Internal Revenue Service as taxable income.

Montana law 39-51-603 permits the Department of Labor and Industry to share certain information with other public agencies to help them determine your eligibility for, or amounts of, benefits payable under their programs. 20 C.F.R § 603.11 states confidential UI information pertaining to the claimant may be requested and utilized for other governmental purposes, including but not limited to, verification of eligibility under other government programs.

Equal Opportunity

This agency is prohibited from discriminating on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and against any beneficiary of programs financially assisted under Unemployment Insurance/Title I of the Workforce Innovation and Opportunity Act (WIOA), 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 Unemployment Insurance/Title I financially assisted program or activity.

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

- Deciding on who will be admitted, or have access to, any Unemployment Insurance or WIOA 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.

If you file your complaint with the state, you must wait either until a Written Notice of Final Action is issued, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (CRC). If you do not receive a written Notice of Final Action within 90 days of the day on which you filed your complaint, you must file your complaint within 30 days of the date on which you received the Notice of Final Action.

You may contact the Civil Rights Center by writing:

The Director, Civil Rights Center (CRC)
US Department of Labor
200 Constitution Ave NW Suite N-4123
Washington, DC 20210

The Americans with Disabilities Act

The Americans with Disabilities Act of 1991 prohibits discrimination against a qualified individual with a disability. We will make accommodations to allow your participation in all programs, activities and services provided by the Unemployment Insurance program at the request of an individual with a qualifying disability. Call Claims Processing at (406) 444-2545 to make your request known. Use Montana Relay service at 711 if you are deaf or hard of hearing.

UI/ADA Officer
Montana Department of Labor & Industry
P.O. Box 8020
Helena, MT 59604-8020
(406) 444-3783
Ask for UI/ADA Officer (ADA/EO questions only)
Montana Relay: 711
HOW TO CONTACT UI

UI Claims Processing
(406) 444-2545
9:00am to 4:00pm (Monday – Friday)
Hours may be subject to change.
Interpretation for foreign languages is available upon request.
Individuals who are deaf, hard of hearing, or have voice impairment may contact the Montana Relay Service: 711.

Unemployment Insurance Division
PO Box 8020
Helena MT 59604-8020
Fax: (406) 444-2699 (anytime)
Email: ui4u@mt.gov
Please include name, phone number, and ID number. Do not email your Social Security number.

Other Contact Information
Request Overpayment Waiver Form (see page 17) (406) 444-3783
Discuss Offer in Compromise (see page 17) (406) 444-2767, (406) 444-3198, or (406) 444-3711
For ADA/EO questions (see page 28) (406) 444-3783

Report UI Fraud
Call (406) 444-4385 or (406) 444-4387, email dliuidci@mt.gov, or go to uid.dli.mt.gov and click on “Report Fraud” button. On the next page, choose “Report Claimant Fraud” or “Report Employer Fraud,” whichever applies.