

Office of Unemployment Insurance Administration  
Unemployment Claims Unit  
PO Box 94094, Room 386  
Baton Rouge, Louisiana 70804-9096

## **Abbreviated Unemployment Benefits Rights and Responsibilities (Benefit Rights Information)**

You have recently filed a claim with the State of Louisiana for unemployment benefits. These next few pages will review your rights and responsibilities under the Louisiana Employment Security Law. You must follow the instructions in this document in order to qualify for benefits. Please read this information carefully.

### **HOW DO I QUALIFY TO RECEIVE UNEMPLOYMENT BENEFITS?**

- **You must file for unemployment benefits each week either by phone at 1-866-783-5567 or online through HiRE at [www.louisianaworks.net/hire](http://www.louisianaworks.net/hire). Please refer to the “Do You Have Questions?” section on Page 6 of this document for your designated call-in day. You have to file for your first payment beginning the Sunday immediately following the date you filed your claim.**
- **You will need to continue filing each week for as long as you do not have a job and are eligible for benefits.** You will be claiming benefits for the prior week. The deadline to claim for weekly benefits is Friday at 4:00 p.m. Central Time.
- If you begin work, you must report ANY earnings for the week that you worked, **even if you have not been paid.** Report the gross amount before deductions.
- To be eligible for benefits each week, you **MUST** be able to go to work each day. If you were offered a job, you must be able to accept. You must look for work by contacting at least **THREE** different employers about job openings during **EACH** week that you claim benefits. You **MUST** contact **DIFFERENT** employers each week. You should keep a list of your work searches.
- You must apply for suitable work.
- If you move, **YOU MUST TELL US YOUR NEW ADDRESS IMMEDIATELY.**
- Benefits will be paid either by debit card or by direct deposit.

### **HOW DO I FILE FOR WEEKLY BENEFITS?**

You may file your weekly claim for benefits online through HiRE at [www.louisianaworks.net/hire](http://www.louisianaworks.net/hire) or by calling 1-866-783-5567. **Please refer to the “Do You Have Questions?” section on Page 6 of this document for your designated call-in day.** You only need to make one claim each week. You cannot claim for a week before it ends on Saturday at 11:59 p.m. On your first call, you will be asked to create a Personal Identification Number (PIN). **Do not forget your PIN.** You will need it each time you use “Easy Call.”

## DO I HAVE TO REPORT MY EARNINGS?

Yes! Louisiana Employment Security Law requires that you report your gross earnings (before deductions) in the week worked if you claim unemployment benefits for that week, even if you have not yet been paid for your work. **Failure to report your earnings could result in an overpayment of benefits, which you will be required to repay. Worse, a determination that you committed fraud could lead to an investigation and criminal charges.**

The Louisiana Workforce Commission (LWC) uses various ways and multiple sources to check if someone who gets unemployment benefits is working. Louisiana has a computerized cross-match system that checks Social Security numbers against other states' records of wages to detect fraudulent claims. **DON'T COMMIT FRAUD!**

## WHAT IS THE WEEK OF WAITING?

The first seven days following the effective date of your new claim is generally your week of waiting. **You cannot be paid for the week of waiting even though you file for that week.**

## HOW IS IT DETERMINED IF I AM ELIGIBLE FOR BENEFITS?

To qualify for unemployment insurance (UI) benefits, two major factors are considered: monetary eligibility and non-monetary eligibility.

**Monetary Eligibility** – This refers to the amount of money available to be paid out on the claim. This amount is based on wages earned during a specific period of time before you filed for UI benefits.

**Non-Monetary Eligibility** – Even if you have enough wages to establish a valid claim, you may still be disqualified from receiving benefits. Non-monetary eligibility refers to all other legal requirements that need to be met in order to receive benefits. This is based on LWC's review of the information you and your employer(s) provide when a claim is filed.

## DETERMINING HOW MUCH MONEY YOU MAY BE ABLE TO RECEIVE

When you file a new claim for benefits, you will be mailed a Monetary Determination. This determination tells you how much money you could receive and how long you could receive benefits.

**Important:** This monetary determination will not reflect wages earned out-of-state or wages earned from federal civilian or military service. If you reported on your initial claims application that you earned wages in another state for from the federal government, then a request has already been submitted for these wages. You will be notified when we receive the wages. Be sure to submit the requested documents (i.e., W-2, SF-8, DD214, etc.) as soon as possible to prevent a delay in the processing of your claim.

In order to understand this determination, you must understand the following:

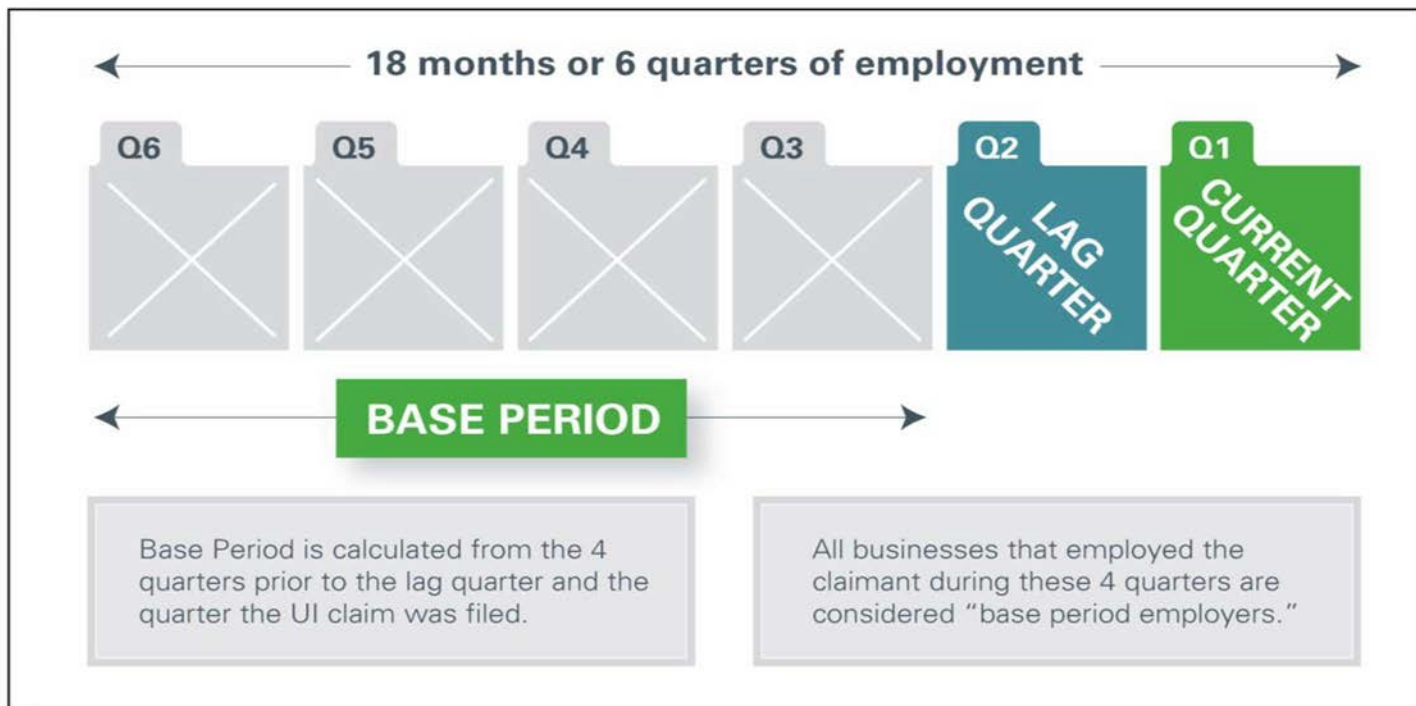
- **What is a Calendar Quarter?** A calendar quarter is a three-month period of time. There are four calendar quarters in a year. For UI purposes, the calendar quarters are divided as shown below:

Calendar Quarters
January through March
April through June
July through September
October through December

- **What is a Base Period?** Employers report wages every quarter. When you file a new or first claim for unemployment benefits, we do not look at your wages from the current quarter. We also do not count wages earned in the quarter immediately before the current quarter. The quarter immediately before the current quarter is called the lag quarter.

When you file a new or first claim for unemployment benefits, the amount you receive is determined by how much money you earned in the four quarters before the lag quarter. You had to have worked for employers who paid unemployment insurance taxes during that time.

See the illustration below to help explain base period.



**To be monetarily eligible, the wages in your base period must meet the following conditions:**

1. Total base period wages must equal at least \$1,200.00
2. You must have wages in at least two calendar quarters
3. Total base period wages must equal at least 1.5 times the high quarter wages.
  - a. Your **high quarter** is the quarter in your base period in which you earned the most money.

If your reported wages meet the above conditions, a formula will be used to determine your claim's benefit amounts.

**Weekly Benefit Amount (WBA)** - The amount of money to be paid weekly if you meet all legal requirements.

**Maximum Benefit Amount (MBA)** – The weekly benefit amount multiplied by 26 weeks. This is the maximum amount of money you can receive on an unemployment claim if you meet all legal requirements. The most a person can receive on an unemployment claim in Louisiana is **\$275** a week for 26 weeks.

**Please note:** Monetary eligibility does not guarantee payment of benefits.

- **What if my reported Base period wages are wrong?** When you receive the monetary determination, you should review it carefully. If there is an error with your reported base

period wages, you must let us know within 15 calendar days from the mail date of the monetary determination or else the monetary determination becomes final.

The quickest way to request a redetermination of your base period wages is to log-in to your HiRE account at [www.louisianaworks.net/hire](http://www.louisianaworks.net/hire), and under **Unemployment Services** on your dashboard, select **Request a Redetermination of Your Benefit Amount**. Be sure to include proof of wages and/or supporting documentations.

For more information on monetary redeterminations, including other methods for requesting redetermination, refer to the complete Benefit Rights Information Handbook available at [www.louisianaworks.net/hire](http://www.louisianaworks.net/hire).

While waiting on a redetermination of your benefits, you must continue filing weekly in order to keep your claim active.

## **DETERMINING YOUR NON-MONETARY ELIGIBILITY**

Once your claim has been determined to be monetarily eligible, the LWC will review your claim to determine if you qualify to receive benefits. After reviewing all of the information you and your employer(s) provide, the LWC will decide if you should be paid benefits, based on the Louisiana Employment Security Law. Once a decision is made, we will notify you and the employer(s) by postal mail.

### **What are the general eligibility conditions?**

To qualify for benefits, you must:

- Be fully or partially unemployed through no fault of your own
- Be unemployed for a waiting period of one week
- File your weekly claims as directed
- Be able to work and available for work as required by law
- Be actively seeking work as required by law
- Be registered for work and participate in re-employment services as directed
- Be legally authorized to work in the United States (if not a U.S. citizen)

## **WE CHECK WITH EMPLOYERS**

When you file your claim, we contact your last employer and the Louisiana employer(s) that you worked for during and after your base period, as well as employer(s) you worked for after you filed the claim. We tell them that you have applied for unemployment benefits. We check with them to determine why you are no longer working for them.

If any of your past employers tell us they do not think you should receive unemployment, we will let you know. We will contact you and the employer to get more information. We will make a decision whether or not should be paid. Once a determination is made, we will tell you and the employer. If either of you disagree with our decision, you can appeal the determination.

## **KEEPING RECORDS**

It is your responsibility to keep accurate records of the weeks you claim, payments you receive, wages you earn and work search contacts you make. When you inquire about your claim, we will be better able to assist you if you keep accurate records.

## **DEBIT CARDS OR DIRECT DEPOSIT?**

Benefits will be paid either by debit card or by direct deposit. **If you file your claim online, you can select your payment method as part of your claim registration.**

- **Debit card** – Shortly after you file your claim, you will receive a debit card from U.S. Bank in an unmarked envelope in the mail within 7-14 days, unless you already have a debit card from U.S. Bank because of a prior claim. Follow the instructions and activate your debit card as soon as you receive it. If you need to replace a lost or expired card, contact U.S. Bank at (855) 274-0354 or (855) 282-6161.
- **Direct Deposit** – If you file your claim online, you can select direct deposit as your payment method. You can establish and update your direct deposit online through HiRE at [www.louisianaworks.net/hire](http://www.louisianaworks.net/hire). When you log in, go to the “My Personal Profile” section on your dashboard and select “Update Banking Information.” Complete the online form and click “Save.” Allow two business days for your banking change to be processed.

## **OVERPAYMENTS AND FRAUD**



### **DON'T COMMIT FRAUD!**

The LWC uses various ways and multiple sources to check if someone who gets unemployment benefits is working. If you begin work, you **must** report to the LWC **any** earnings for the week that you start work – **even if you have not yet been paid**.

Any unemployment payment you receive that you're not supposed to get is considered an overpayment. The LWC will recoup overpayment balances by deducting the amount from future unemployment payments, or if necessary, by assessing penalties and garnishing any federal and/or state income tax refunds.

If your overpayment is found to be the result of fraud:

- You will be disqualified for 52 weeks from receiving unemployment benefits
- You will be referred for legal action, such as investigation and/or prosecution
- Your recreational hunting and fishing licenses will be suspended
- Liens will be assessed
- Your federal and/or state income tax refunds will be garnished

### **HOW DO I FILE AN APPEAL?**

You have the right to appeal any nonmonetary determination or monetary redetermination we make regarding your unemployment benefits. If you disagree with the LWC's decision, you have a right to appeal the determination(s) within 15 calendar days of the determination's mail date. Instructions for filing an appeal are included in the decision.

There are four methods for filing an appeal:

1. Online at [www.louisianaworks.net/hire](http://www.louisianaworks.net/hire)
2. E-mail – [clerkappeal@lwc.la.gov](mailto:clerkappeal@lwc.la.gov)
3. Postal mail – LWC Appeals Unit, P.O. Box 94094, Baton Rouge, LA 70804-9094
4. Fax the appeal to 225-346-6077

There is no charge to file an appeal to the Appeals Tribunal or Board of Review.

### **THE PRIVACY ACT OF 1974**

Under authority of the Internal Revenue Code of 1954 (26 U.S.C. 85 6011 (a), 605B and 6109 (a)) LWC requires that you enter your Social Security Number on the forms you submit when filing an

unemployment insurance claim. Your Social Security Number and any other information you provide is subject to verification through matching programs with other government agencies. Your Social Security Number will be used in reporting to the U.S Internal Revenue Service the unemployment compensation that we paid to you during the year. This information also may be requested and utilized for other governmental purposes including, but not limited to, verification of eligibility under other programs.

### **PRIVACY ACT INFORMATION**

In accordance with the Privacy Act (at 5 U.S.C. §552a(o)(1)(D)(i)), state agencies are required to notify applicants and recipients of benefits that any information provided may be subject to verification through computer matching programs.

### **IMPORTANT NOTICE ABOUT INCOME TAX**

**Unemployment benefits are subject to federal income taxes.** If federal income taxes are not withheld from the unemployment benefits that you receive, you are required to make quarterly estimated income tax payments to the Internal Revenue Service. You can avoid making these quarterly payments by having 10 percent of your gross weekly benefit amount deducted for this purpose. You were given this option at the time that you filed your initial claim.

If you wish to change your original decision, log in to your HIRE account at [www.louisianaworks.net/hire](http://www.louisianaworks.net/hire) and select **Unemployment Services** on your dashboard, then select **Federal Tax Deduction**. You can also call our Claim Center at 1-866-783-5567. **Please refer to the “Do You Have Questions?” section below for your designated call-in day.** If you do not choose to have federal income taxes deducted from your benefits, you should consult an agent of the Internal Revenue Service or your tax preparer for information on making quarterly estimated tax payments.

Form IRS 1099-G, will be provided to you as a statement of benefits paid to you for the previous year. The Internal Revenue Service will be given the same information. You must keep this agency informed of your correct address in order for you to receive your tax statement by postal mail. Your Form IRS 1099-G also will be available online through HiRE at [www.louisianaworks.net/hire](http://www.louisianaworks.net/hire) .

Notices of all overpayments, fraud assessments, credits against overpayments and reimbursements should be kept for tax purposes. The LWC only reports the amount of benefits issued. It may not deduct credits or reimbursements.

**DO YOU HAVE QUESTIONS?** Call our Claim Center at **1-866-783-5567**. Refer to the following call-in schedule based on the last four digits of your Social Security Number (SSN):

- If your SSN ends with **0000-2499**, your designated call-in day is **Monday**.
- SSNs ending with **2500-4999** should call on **Tuesday**.
- SSNs ending with **5000-7499** have **Wednesday** as the designated call-in day.
- SSNs ending with **7500-9999** should call on **Thursday**.
- **Friday** has been designated as **open to anyone** needing assistance.

**YOU CAN DOWNLOAD THE FULL BENEFITS RIGHTS AND RESPONSIBILITIES AT**  
[www.louisianaworks.net/hire](http://www.louisianaworks.net/hire)