



# GUIDE FOR RECEIVING UNEMPLOYMENT INSURANCE BENEFITS

*Revised September 16, 2015*

**This guide fully explains your rights and responsibilities when filing for and receiving unemployment insurance benefits. Failure to read this guide could result in loss of benefits.**

The TN Department of Labor and Workforce Development is committed to principles of equal opportunity, equal access, and affirmative action. Auxiliary aids and services are available upon request to individuals with disabilities. (Tennessee Relay Service is 711.)

## NOTICE

All benefits are taxable, and information contained in your unemployment insurance claim file may be released to other government agencies, as required by law. IRS form 1099G will be mailed to you by January 31. It is important to keep your address current with our department because the United States Postal Service WILL NOT FORWARD 1099G forms.

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## 1. ACTIONS YOU MUST TAKE FOR PAYMENT AND CORRESPONDENCE

- a. While unemployed, **you must certify every week** beginning with the week after you file your unemployment claim. You must answer questions every week for the prior calendar week by telephone. (For detailed instructions, see pages 2-4.) Do not wait to receive correspondence from our agency to take action. Delay can result in non-payment of skipped weeks.
- b. All claimants **must make a reasonable effort to secure work** by providing detailed information regarding contact with at least three (3) employers per week. Failure to make three (3) weekly work searches will result in a loss of benefits unless you are job attached, a member of a hiring union, or attending training approved by the Commissioner. You may log in to [www.jobs4tn.gov](http://www.jobs4tn.gov) to search for work online.
- c. You **must notify our agency timely of any change of address** after you have notified your U. S. Post Office. Checks or IRS 1099G forms will not be forwarded. Wage Transcriptions, Agency Decisions and Call-In Notices are sent to the address on file.
- d. You must **report gross wages from working on your weekly certification**. To avoid overpayments, report earnings DURING THE WEEK EARNED not when paid.
- e. You **must respond to telephone calls or written call-in notices** from our agency.
- f. You must **timely report effective date of pension**. Some types of pension are deductible from UI benefits if pension is received from a base period employer. Contact Claims Operations as soon as effective date and amount is known.
- g. You must **protect the PIN (Personal Identification Number) that you create** as it is your electronic signature. If you tell another person your PIN and it is used fraudulently, the overpayment will be charged to you.
- h. If your claim is denied and you disagree with an Agency Decision, Appeals Tribunal Decision or Office of Administrative Review Decision, you must **file an appeal timely for the next level to take jurisdiction. Follow the instructions on the decision. Also continue to certify weekly while unemployed and waiting on the appeal process.**
- i. Contact Claims Operations at 1-877-813-0950 if you **change your availability for work, enter into school or a training program, plan to go out of state or become ill.**
- j. **If you have given a disqualifying answer on your weekly certification and are still unemployed, you must call Claims Operations as soon as possible to resolve the issue.**

## 2. UNEMPLOYMENT INSURANCE PURPOSE AND CRITERIA FOR APPROVED CLAIM

Unemployment Insurance is designed to provide benefits to unemployed individuals who lose their jobs through no fault of their own. The program is funded by employers who pay into the Tennessee Unemployment Insurance Trust Fund. Your eligibility to receive unemployment insurance benefits is based on Tennessee's Employment Security Law. A person would need to be able and available for work, make three work searches each week while certifying for unemployment insurance benefits, qualify for a weekly benefit amount and be separated from most recent work for a non-disqualifying reason. After filing a claim by telephone or internet, a Wage Transcription and Initial Monetary Determination would be mailed to you describing your weekly benefit amount and maximum benefit amount. Adjudication of a separation issue would result in an agency decision being mailed to you separately.

## 3. PRIVACY ACT STATEMENT

Federal and state laws require that you be furnished this statement because you are being asked to furnish your Social Security Number. Disclosure of your Social Security Number for this purpose is mandatory to claim unemployment benefits. Your Social Security Number will be used to report your unemployment benefits to the Internal Revenue Service as income that is taxable. It will be used for processing your claim, for statistical purposes, and to verify your eligibility for unemployment benefits. Should you decline to disclose your Social Security Number your claim for unemployment benefits will not be processed.

#### **4. PROCEDURE FOR WEEKLY CERTIFICATION USING TELEPHONE INFORMATION AND PAYMENT SYSTEM (TIPS)**

The TIPS line weekly certification process provides a fast, reliable way to file a weekly certification for unemployment insurance benefits using a touch-tone telephone. While unemployed, you will need to certify each week beginning with the week after you filed your claim.

You need to read the following sections to become familiar with the process and the questions. Access to TIPS will be granted after you file a new claim for unemployment benefits. After access is granted, simply call the TIPS number and follow the recorded instructions.

You, the claimant, are responsible for certifying your eligibility by the Telephone Information and Payment System (TIPS) on a weekly basis as long as you are unemployed. Do not delay contacting the department should you not be able to certify.

If you are unable to successfully certify on the TIPS line after you file your claim, you must contact Claims Operations at 1-877-813-0950.

If for some reason such as return to work, illness, vacation, etc., you are unable to file your weekly claim within the allotted time, you must phone Claims Operations at 1-877-813-0950. Until you are authorized to do so, you will not be allowed to certify by telephone again.

#### **Weekly Certification hours of availability by phone through TIPS:**

**Sunday - 8:00 A.M. until 12:00 midnight**

**Monday through Friday - 7:00 A.M. until 12:00 midnight and AVAILABLE ALL HOLIDAYS that are Sunday through Friday**

**Self-service information is available by calling Claims Operations at 1-877-813-0950 Monday through Saturday 7 A.M. to 6 P.M. and Sunday 8 A.M. until 4:30 P.M. (CST).**

#### **5. CREATION AND USE OF YOUR PERSONAL IDENTIFICATION NUMBER (PIN)**

The claims filing and benefit inquiry applications require that you enter a confidential Personal Identification Number or PIN. Your PIN protects you against another person certifying for benefits or obtaining information about your claim.

You will select your PIN during your first call and are responsible for its use. Guard it as you would any confidential information. Be sure to select a PIN that will be easy for you to remember since you must call to certify for a week of benefits or get benefit information. If you are establishing a new PIN, you will also be prompted to establish a secondary security question and answer. You will be prompted to answer the secondary security question in the event you enter your PIN incorrectly when attempting to certify.

You have two chances to enter your PIN correctly. After that the PIN is locked. If you forget your PIN, or if you believe that someone else knows your PIN, you will need to enter an incorrect PIN two times in order for it to become locked. Then, phone Claims Operations (1-877-813-0950) and request unlocking of your PIN if answering a secondary security question is not successful.

Never tell anyone your PIN!!! Remember, you are responsible and liable for your claim. Your PIN is your electronic signature for claiming and receiving unemployment benefits.

#### **6. WEEKLY CERTIFICATION QUESTIONS**

You are currently certifying for the seven day calendar week ending XX/XX/XX. Employers, including temporary agencies and staffing companies, report earned wages to the agency every week. Failure to report wages will lead to an overpayment.

Wages are to be reported for the week during which they were earned even if they have not yet been received.

1. Did you do any work for which you were paid or will be paid?     YES     NO

If YES, what is the gross amount? \$ \_\_\_\_\_



## 10. USING THE EMPLOYMENT SECURITY ONLINE APPLICATION WEBSITE

The Employment Security Online Application Website at <https://ui.tn.gov/> offers several services:

- Apply for Unemployment Complete an application for Tennessee unemployment benefits.  
EXCEPTIONS: If you are filing a combined wage claim using wages in multiple states, or if your last employer is not shown in the drop-down menu, and you are not provided with a free form typing option in order to enter your last employer, you will need to contact Claims Operations at 1-877-813-0950.
- Report a Missing Check Use this if payment method is NOT debit card or direct deposit.
- File a Wage Protest If there are missing Tennessee wages in your standard base period shown on your WAGE TRANSCRIPTION AND INITIAL MONETARY DETERMINATION, click on this menu choice and follow the prompts.
- Appeals If you disagree with an Agency Decision and are filing an appeal within 15 days from the mailing date, click on this menu choice and follow the prompts.
- View Benefits/  
Update Information To view and update address, telephone number, county, email address, IRS 10% deduction option or view benefit information.
- View/Update Payment Type Change method of payment.

## 11. IRS FORM 1099G

All benefits are taxable, and information contained in your unemployment insurance claim file may be released to other government agencies, as required by law. IRS form 1099G showing total of payments issued in previous calendar year will be mailed to you by January 31. It is important to keep your address current with our department because the United States Postal Service WILL NOT FORWARD 1099G forms.

## 12. FRAUD/CROSSMATCH

When certifying for weekly benefits you are required by law to answer questions truthfully. Under Tennessee Law, both you and your employer can be prosecuted for making false statements. This Agency has a program designed to cross match wages reported by employers against earnings reported by claimants drawing unemployment benefits. This cross match will detect any difference in wages and earnings reported; therefore, you must report all wages when earned, not when paid. This must be done for each calendar week beginning Saturday midnight and extending to the following Saturday midnight.

## 13. HIRE DATE IS REPORTED

Tennessee employers report new hire information to the Department of Human Services, which is shared with the Division of Employment Security. When you return to work and begin earning equal to or more than your weekly benefit amount, you are no longer due a benefit check for that week. Claimants report calendar week wages as they are earned and not later when they are paid.

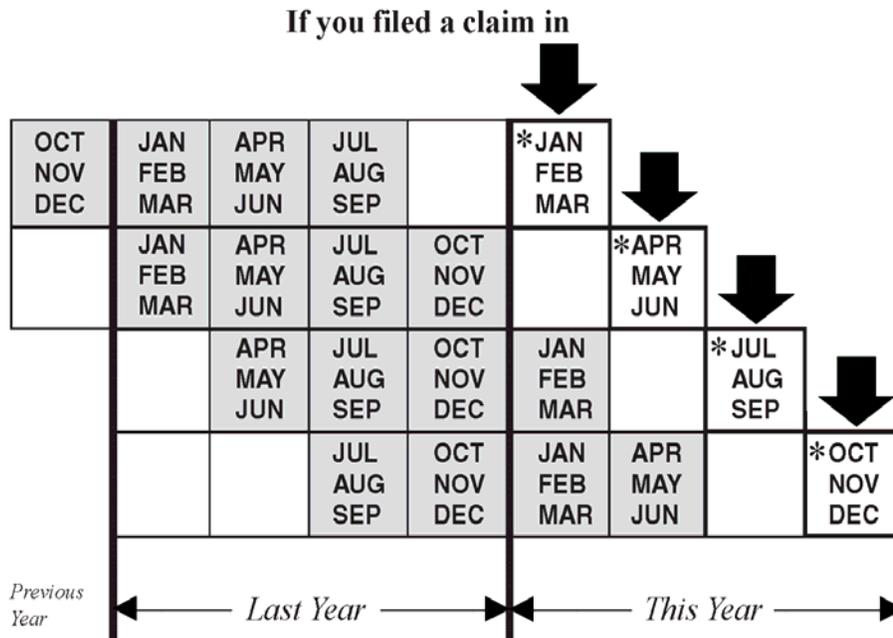
## 14. FEDERAL INCOME TAX WITHHOLDINGS

An individual filing a new claim for unemployment compensation may elect to have federal income tax deducted and withheld, at the flat rate of 10 percent, from the weekly payment of unemployment compensation. An individual will be permitted to change a previously elected withholding status at any time by accessing <https://ui.tn.gov/>, clicking on View Benefits/Update Information and following the prompts.

NOTE: If income tax is deducted from unemployment benefits and those benefits are later found to be overpaid, the amount withheld for income tax purposes will be overpaid even if you return a benefit check.

## 15. STANDARD BASE PERIOD CHART

To determine a weekly benefit amount on an initial unemployment claim, wage amounts are reviewed for a time frame called a **Standard Base Period**. This is the first four of the last five completed calendar quarters prior to the date the initial claim is filed. A calendar quarter is three months of either January - March, April - June, July - September or October - December.



**the base period will be the shaded area.**

\*Base period changes on the Sunday of the first complete calendar week of the new quarter.  
Turn of quarter occurs during the first full week of the quarter.

## 16. WAGES IN OTHER STATES OR LIVING IN ANOTHER STATE

If you worked in Tennessee during the base period but moved to another state, you may, if you are unemployed, file a claim for benefits on those wages earned in Tennessee. If you worked in another state during the base period, but moved to Tennessee, you may file a claim for benefits from another state. If your background is working for companies in one state other than Tennessee, you will need to go to <http://www.tn.gov/workforce/article/common-issues-when-applying-online>. The Interstate ICON Guide explains how to file through other states' telephone claim centers or internet. In some cases your wages from two or more states may be combined to establish an eligible claim for benefits.

## 17. ELIGIBILITY REQUIREMENTS

1. You must be totally or partially unemployed through no fault of your own.
2. You must have been paid sufficient qualifying wages during the base period.
3. You must file an initial claim and continue to file your weekly certification as directed.
4. You must be able to work and available for work. There are special provisions for individuals who become ill or disabled after filing an initial claim.
5. You must make three different valid work searches each week you claim unemployment benefits.
6. You must document your work search activity on a work search log. Failure to comply with the Unemployment Insurance Accountability Act of 2012, T.C.A. § 50-7-302(a)(4), will result in a loss of benefits.
7. You must make a reasonable effort to secure work unless you are returning to your employer in the near future, normally get work through a hiring union, or are enrolled in approved training.
8. Your first week AFTER FILING an initial claim that is approved and monetarily eligible is called a waiting week, provided that any gross earnings reported do not equal or exceed the weekly benefit amount. You must file weekly certifications for four consecutive weeks, meet all eligibility requirements, and not equal or exceed the weekly benefit amount in order to be paid for the waiting week.

9. Some claimants must have requalifying wages — your Claims Operations representative will explain this to you if necessary. (See Disqualifications.)

## 18. DISQUALIFICATIONS

Although you may have enough wages to establish a valid claim, you may still be disqualified from receiving benefits. Some of the conditions are listed.

A. Voluntarily quitting without good cause connected with work may include

1. Moving to another locality
2. Lack of transportation
3. Lack of a babysitter
4. Quitting to attend school or to care for a friend or relative
5. Unable to get along with coworker(s)
6. Routine change in working hours

B. Discharged for misconduct in connection with work may include

1. Excessive tardiness and/or absenteeism
2. Willful neglect of an employee's duties
3. Insubordination
4. Intentional violation of company rules
5. Willful destruction of company property
6. Theft
7. Disloyalty (disclosure of confidential information or accepting bribes)
8. Embezzlement
9. Inflicting bodily harm on a fellow employee or employer

C. Failure to accept a referral from this Agency or to accept available, suitable work.

**NOTE: If you are disqualified for any of the reasons listed in Disqualifications section you must do the following to establish eligibility.**

1. Return to work for an employer who pays unemployment insurance premiums (covered employment)
2. Earn an amount specified by law (10 x your weekly benefit amount)
3. Be separated for reasons that are not disqualifying

D. Participate in a labor dispute other than a lockout.

E. There are other reasons which would result in disqualification. Some are:

1. Receiving wages in lieu of notice
2. Receiving deductible retirement equal to or in excess of your weekly benefit amount
3. Receiving compensation for temporary partial disability under workers' compensation
4. Earnings equal to or more than your weekly benefit amount
5. Being out of town and not available for work during your usual work week
6. Fraud in connection with your claim
7. Seeking or receiving unemployment benefits from another state or from a federal unemployment claim and, at the same time, drawing unemployment benefits from Tennessee
8. Receiving vacation or holiday pay equal to or greater than your weekly benefit amount when you are expected to return to work with the same employer within 21 days of the end of the holiday/vacation period
9. Failure to make three valid work searches each week and documenting work searches on a work search log  
**You may lose benefits for eight weeks if you provide false work search information.**
10. Certain types of self-employment involving commission sales

**NOTE: If you are disqualified for any reason listed in number 18 E, you may reopen your claim by calling Claims Operations (1-877-813-0950) when the condition(s) causing your disqualification no longer exist.**

## 19. RE-EARNINGS REQUIREMENT

TCA 50-7-302(b)(1) states "If the qualifying base period wages of the claimant's current benefit year include wages paid prior to the establishment of a previous benefit year, the claimant shall not be eligible for any benefits under this chapter unless the claimant has been paid wages for insured work performed after the establishment of the previous benefit year equal to at least five (5) times the claimant's weekly benefit amount in the claimant's preceding benefit year."

The re-earnings requirement is needed when a claimant files a monetarily eligible initial claim after an expired monetarily eligible Benefit Year Ending Date (BYE) and the change of quarter has NOT occurred twice since the BYE date.

### **Example 1 (Must meet 5X Re-earnings Requirement)**

Claimant's monetarily eligible TN BYE ended on May 16, 2015. Change of Quarters occur on July 5, 2015 and October 4, 2015. If claimant files a new claim before change of quarter on October 4, 2015, claimant must meet the 5X re-earnings requirement.

### **Example 2 (NO 5X Re-earnings Requirement)**

Claimant's monetarily eligible TN BYE ended on May 16, 2015. Change of Quarters occur on July 5, 2015 and October 4, 2015. If claimant files a new claim on or after change of quarter on October 4, 2015, there is NO 5X re-earnings requirement. The reason this claimant does NOT have a 5X re-earnings requirement is because the qualifying base period wages of the claimant's current benefit year DO NOT include wages paid prior to the establishment of the previous benefit year.

Requalifying wages must represent covered services performed for a liable employer. Therefore, vacation pay, holiday pay, severance pay, wages in lieu of notice or incentive pay cannot be used as requalifying wages. However, such wages may be used to establish monetary eligibility. To qualify for a second claim after a benefit year has expired, a claimant must have been paid covered wages after the establishment of the previous benefit year equal to at least five (5) times the weekly benefit amount (WBA) of the previous benefit year.

## 20. APPEAL RIGHTS

If your claim is denied, you will receive a written Agency Decision. Interested parties have the right to appeal this decision within 15 calendar days of date mailed. If state offices are closed on the final day, the next business day is the deadline. Late appeals will only be allowed if you can show, in a hearing, that you had good cause. File the appeal by mail to: Appeals Tribunal, Dept of Labor and Workforce Development, 220 French Landing Drive, Nashville, Tennessee 37243-1002. File the appeal by fax 615-741-8933 or via the Internet, <http://www.tn.gov/workforce/topic/file-an-appeal>.

The claimant's Social Security Number must appear on all documents. The Guide for Receiving UI Benefits and the Handbook for Employers contain additional information. **You must certify weekly to remain eligible for benefits should filing an appeal result in approval.** You may be represented by an attorney or assisted by any other representative you choose. If you cannot afford an attorney, free or low cost legal assistance may be available through your local legal services organization or bar association. We cannot provide an attorney for you.

## 21. TERMS TO REMEMBER

**Allowable Earnings** - The amount of earnings a claimant may earn without reducing his weekly benefit amount (WBA).

**Appeal** - This Agency's appeals process includes the following: The Appeals Tribunal, Commissioner's Designee, and Petition to Rehear. If you disagree with an Agency Decision denying benefits on your claim separation or non-separation issue, you may appeal by following the instructions on the form.

**Base Period (Standard)** - The first four of the last five completed calendar quarters prior to the initial claim date.

**Benefit Year Ending Date (BYE)** - The 52-week period beginning the first day of the week in which a claim is filed.

**Calendar Quarter** - A calendar quarter is three months of either January - March, April - June, July - September or October - December.

**Change of Quarter** - Effective on the Sunday of the first full week in January, April, July and October when base period on newly filed claims change.

**Covered Employment** - You will receive a W-2 form for most covered wages. Employment that meets provisions of Tennessee Code Annotated (TCA), Chapter 7, of Tennessee Employment Security Law with Regulations for coverage by the unemployment insurance program.

**Direct Deposit** - Electronic method of payment of unemployment benefits directly to claimant's checking or savings account.

**Exhausted Benefits** - When a claimant has drawn out all the benefits he is entitled to within a benefit year. A new claim for benefits can be filed after the benefit year ends.

**Initial Claim** - The first claim you file that establishes a benefit year ending (BYE) date.

**Maximum Benefit Amount (MBA)** - The maximum amount of benefits you may be eligible to receive in your benefit year is the lesser of 26 times your WBA or one-fourth of your base period wages. To be eligible for benefits, you must have base period wages outside the highest quarter of your base period of at least six times your WBA or \$900. Your total amount of benefits, if not a multiple of \$1.00, will be computed to the next lower multiple of \$1.00.

**Monetary Determination** - This is based on your covered employment wages earned during a base period.

**PIN** - Personal Identification Number.

**TAA** - The Trade Adjustment Assistance (TAA) Program is a Federal program established under the Trade Act of 1974 (Amended 2002, 2009, 2011 and 2014) that provides cost of retraining, job search allowances, and relocation allowances to workers who lose their jobs or whose hours of work and wages are reduced as a result of increased imports.

List of programs:   **TAA of 2002** (Trade Adjustment Assistance Reform Act of 2002)  
                          **TGAAA of 2009** (Trade and Globalization Adjustment Assistance Act of 2009)  
                          **TAAEA** (Trade Adjustment Assistance Extension Act of 2011)  
                          **Reversion 2014** (Trade Adjustment Assistance (TAA) Reversion 2014)

**TAP Card** - Claimants may elect to receive their unemployment compensation via a VISA Debit Card, known as Tennessee Automated Payment (TAP) Card.

**TIPS** - Telephone Information and Payment System.

**TRA** - Trade Readjustment Allowances are income support to persons who have exhausted unemployment compensation and whose jobs were affected by foreign imports.

**TUC** - Tennessee Unemployment Compensation.

**Wage Protest** - A wage protest is completed when a claimant does not agree that his covered Tennessee wages are correctly reflected on the Wage Transcription and Initial Monetary Determination.

**Wages in Lieu of Notice** - Wages paid under the circumstance where the employer did not give an advance notice of separation, are equivalent to the wages the claimant could have received if permitted to work those weeks.

**Waiting Week** - The first week you certify for after filing an initial and monetarily eligible approved claim is your waiting week. This Agency does not pay you for this week unless you certify for, and are eligible for, four consecutive weeks.

**WARN** - Worker Adjustment and Retraining Notification Act.

Under Worker Adjustment and Retraining Notification Act of 1988 (WARN), Tennessee employers are required to send a written notice to the Dislocated Worker Unit 60 days in advance of a plant closure or mass layoff if the company employs at least 100 workers.

**WARN Notice Pay** - Wages, considered wages in lieu of notice.

**Weekly Benefit Amount (WBA)** - The dollar amount of unemployment benefits you are entitled to receive weekly.

**Work Search** - Recording weekly activity on your TUC Work Search Log by logging in to [www.jobs4tn.gov](http://www.jobs4tn.gov) to apply for work online and receive notifications when jobs are posted; Completing a job application in person or online with employers who may reasonably be expected to have openings for work that you can do; Mailing a job application and/or résumé, as instructed in a public notice; Making in-person visits with employers who may have job openings; Sending job applications to employers who have an open job that you can do; Interviewing with potential employers in person or by telephone; Registering for work with private employment agencies, placement services or hiring unions; Using the employment resources available at Tennessee American Job Centers that may lead directly to a job, and; Attending job search seminars, career networking meetings, job fairs or employment-related workshops that offer instruction in improving individual skills for obtaining employment.

**September 2016 (Publication Authorization Number 337224)**



TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT ■ DIVISION OF EMPLOYMENT SECURITY  
**REQUEST TO CHANGE NAME, CHANGE ADDRESS, CHANGE IRS DEDUCTION and UNLOCK PIN**

**You must complete 1 through 4 for the Agency to process your request.**

<b>(1) Social Security Number</b> _____	<b>(2) Date of Request (Month, Day, Year)</b> _____
<b>(3) Print your name (First, Middle Initial, Last)</b> _____	<b>(4) Your signature here</b> _____

(5)  **Change my name from:** \_\_\_\_\_ to \_\_\_\_\_  
*(Documentation of name change must be provided.)*

(6)  **Change my address from:** \_\_\_\_\_ to **new address:** \_\_\_\_\_  
*Street Street*  
 \_\_\_\_\_  
*City City*  
 \_\_\_\_\_  
*State (2 Digits) Zip Code State (2 Digits) Zip Code*  
 \_\_\_\_\_

(7)  **Change my county of residence from:** \_\_\_\_\_ to \_\_\_\_\_  
*(include area code) (include area code)*

(8)  **Change my telephone number from:** \_\_\_\_\_ to \_\_\_\_\_

(9)  **Change my income tax deduction:**  deduct 10% or  discontinue 10% deduction

(10)  **Unlock my PIN** This is to request that my Personal Identification Number (PIN) be reactivated so that I may use the TIPS Line for weekly certification and information.

*Please sign and fax or mail this request to the Tennessee Claims Center.*

Mailing Address                      TENNESSEE CLAIMS CENTER  
    DEPT OF LABOR AND WORKFORCE DEVELOPMENT  
    P O BOX 280870  
    NASHVILLE TN 37228-0870

Fax Number for the  
 Tennessee Claims Center:        615-253-0809 OR 615-253-0813

**Please keep your address current with the Department of Labor and Workforce Development.**