



Montana Department of  
**LABOR & INDUSTRY**

# **CLAIMANT HANDBOOK**

A Guide to Unemployment  
Insurance Benefits:

*Your Rights and Responsibilities*

To file your claim: [ui4u.mt.gov](http://ui4u.mt.gov)

For up to date information: [uid.dli.mt.gov](http://uid.dli.mt.gov)

Una versión en español está disponible a petición.  
También en [uid.dli.mt.gov](http://uid.dli.mt.gov) haga clic en “Acerca de UI”  
Rev. 9/2014

# FINDING A JOB

## MAKE YOUR WORK SEARCH WORK FOR YOU

Montana's Job Service offices are your full-service, no-fee employment resource. It's like having your own office. Job Service local offices offer computers, fax machine, telephones and copiers to assist with your job search.

SOME SERVICES AVAILABLE TO ASSIST YOU ARE:

- Discuss/review your work search efforts and develop a work search plan;
- Receive assistance writing resumes and cover letters as needed;
- Learn about available resources and tools you can use in your work search;
- Learn about re-employment and re-training services available.

If you experience any issues contacting any of the following offices, check the State Government pages of your local phone book, or check the website: [jobs.mt.gov](http://jobs.mt.gov). If you live in a rural area, contact the nearest Job Service Office.



## JOB SERVICE OFFICES CONTACT INFORMATION

Anaconda	563-3444
Billings	652-3080
Bitterroot (Hamilton)	363-1822
Bozeman	528-9200
Butte	494-0300
Cut Bank	873-2191
Dillon	683-4259
Flathead (Kalispell)	758-6200
Glendive	377-3314
Glasgow	228-9369
Great Falls	791-5800
Havre	265-5847
Helena	447-3200
Kootenai (Libby)	293-6282
Lake County (Polson)	883-7880
Lewistown	538-8701
Livingston	222-0520
Miles City	232-8340
Missoula	728-7060
Wolf Point	653-1720
Sanders (Thompson Falls)	827-3472
Shelby	434-5161

[jobs.mt.gov](http://jobs.mt.gov)

*All locations are area code 406.*

To remain actively registered for Unemployment Insurance, you must receive a service from a Job Service office at least once every 90 days. Some examples: job search planning, resume assistance, job application assistance.

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# IMPORTANT UNEMPLOYMENT INSURANCE INFORMATION



**Keep your mailing address and phone number current with UI. Mail from UI is not forwarded by the Post Office. The mail and phone are the primary way we contact you for information affecting your claim. If we cannot contact you, your benefits will be stopped.**

**Your individual ID number is your account number with UI. For security and privacy, use it in place of your social security number when contacting UI.**

## **What is Unemployment Insurance (UI)?**

UI is a program to pay short-term benefits to help workers who have lost their job through no fault of their own. UI helps to lessen the negative impact that unemployment has on the economy. UI is not public assistance, Social Security or a disability payment program.

## **Who pays for UI?**

Employer taxes pay all costs of the UI program. No money is deducted from your paycheck for these benefits.

## **Help us to help you.**

We want to help you through your time of unemployment. Make sure you are paid all the benefits coming to you by providing accurate information, responding to requests for information on time and meeting all the requirements for qualifying for benefits. **You are required to read and understand the contents of this book.**

## **For Fastest Service:**

File online at [ui4u.mt.gov](http://ui4u.mt.gov) – it's the safe, secure, easy and quick way to file for and request payment of benefits and find information on your claim.

## **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 6](#) for what is considered fraud, how to report fraud and how to avoid penalties and prosecution.



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# FRAUD, OVERPAYMENTS

## 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. Those found to have committed fraud are required to repay the benefits, pay a 50% penalty, are disqualified from receiving future benefits and may face criminal prosecution for felony theft. **To report UI fraud: Call 406-444-1709 or email [dliuidci@mt.gov](mailto:dliuidci@mt.gov).**

### Some examples of UI fraud are:

#### ⬡ Misreporting hours worked or earnings.

- You must report **ALL** hours and partial 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 for the work.** Go to [uid.dli.mt.gov](http://uid.dli.mt.gov) for more information on hours and earnings.
- Track your hours and earnings on the form on page 26.

#### ⬡ Misreporting work search efforts.

- You must actively look for work and report your work search efforts each week. If you are not looking for work, not making valid work searches, or falsifying work search information, you are not eligible for benefits. Track your work searches on the form on page 25.

**Corporate officers have the same reporting requirements and responsibilities when filing for benefits as any other employee even if they are not paid for hours worked.**

#### ⬡ Being dishonest about the reason you are no longer working or failing to report a job separation or a reduction in hours.

- You must report your job separations and any work you have refused during the time you are filing.

#### ⬡ Misrepresenting your ability and availability to work.

- If you are not able and available to work due to illness, being out of the area, on vacation, having no transportation or childcare, you may not be eligible for UI 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) or Personally Identifiable Information (PII). You must also not allow another person to file for benefits using your PIN or PII. Doing this may subject you to prosecution.

#### ⬡ Failing to report Workers’ Compensation, disability or Social Security payments.

- You must tell the agency if you are receiving Workers’ Compensation, disability or Social Security while you are requesting payments.

#### ⬡ Making a false statement or misrepresentation to receive payment.

- You must be honest and accurate when filing. Don’t withhold information. Withholding information is just as serious as giving false information.

**It is the responsibility of UI to ensure benefits are only paid when due. It is your responsibility to be honest in providing accurate, complete information. Some examples are:**

**Separations • Work searches • Hours and earnings  
If you have been hired recently • Incarcerations • Job or union attachment  
Receipt of disability payments • Refusals of work • Back pay awards**

**UI Overpayments**

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

- You will be required to repay your debt in full within 36 months. You will receive an overpayment notice and a monthly bill from our agency.
- You must repay the overpayment amount:
  - *Your UI payments will be reduced by 50% each week to repay your debt.*
  - *If you are not receiving benefits, then you will be asked to set up a monthly repayment plan.*
- If you do not repay the overpayment amount:
  - *Your debt will 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.*
  - *A lien will be filed against you.*
  - *Your debt may be transferred to an outside collection agency. You will be charged a collection fee in addition to the debt.*
  - *Lottery winnings you claim will be intercepted.*
  - *Your wages may be subject to garnishment.*

**Waiver of Non-Fraud Overpayments**

A waiver may be granted in limited cases such as a department error or the repayment of the debt would cause you a long-term financial hardship. A waiver cannot be granted in cases of fraud or in cases where the overpayment is caused by the claimant.

You can ask for a waiver request form by calling 406-444-3783. Financial information for a 12-month period will be requested if you apply for a financial hardship waiver.

**Claim Audits**

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

- **Benefits Accuracy Measurement Audits** - Reviews past employment, work searches, hours worked and earnings during your claim, and any information related to your claim.
- **Claims Investigation Audits** – UI audits the hours and earnings of claimants every quarter. The wages reported by employers are compared to the earnings reported by claimants in the same quarter.
- **Work Search Audits** – Review of claimant’s weekly job contacts.
- **Job and Union Attached Verification** – Review of claimant’s ongoing connection to their employer or union.

**REMEMBER:**  
**If you have returned to work full-time or are working your customary hours, you are no longer eligible for benefits.**

# PIN, PERSONAL AGENT, CHANGE OF ADDRESS, DIRECT DEPOSIT

## Personal Identification Number (PIN)

You must establish a 4-digit PIN, which allows secure access to your claim at [ui4u.mt.gov](http://ui4u.mt.gov). This number, along with your social security number, will identify you when you access your claim. If you filed your claim over the telephone, you need to establish your PIN at [ui4u.mt.gov](http://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](http://ui4u.mt.gov) or calling the Claims Processing Center 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 the Claims Processing Center 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 designation 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

You have three business days to update your mailing address with UI after it changes. **Mail from UI is not forwarded by the Post Office even when you have filed a change of address with the Post Office.** Failure to respond to requests for information due to a bad address will mean you are denied benefits until you respond.

You may receive mail or requests for information up to three years after your claim has expired.

## Direct Deposit

Direct Deposit of your UI payment is a quick, convenient and secure way to receive your payments and you get your money faster. Depending on your bank, your deposit is usually available two business days from the payment issue date.

To sign up for Direct Deposit go to [ui4u.mt.gov](http://ui4u.mt.gov) and select “Update Bank Account Information.” You will need your bank account and routing number. If you are receiving payments by Direct Deposit, it is still your responsibility to keep your address current by updating at [ui4u.mt.gov](http://ui4u.mt.gov) or by calling the Claims Processing Center.

Once you are no longer requesting payment, it is recommended you go to [ui4u.mt.gov](http://ui4u.mt.gov) and deactivate Direct Deposit by clicking on “Update Bank Account Information.”



# WHAT YOU NEED TO KNOW TO FILE FOR BENEFITS

You have the right to file or reactivate a UI claim at any time. Your eligibility is based on the laws and rules which govern the UI program.

- **Filing your claim is not the same as requesting payment.** Once your claim is filed, you must request weekly payments. Requests can be made after midnight on Saturday for the previous week.
- **Read your Claimant Handbook cover to cover.** You are responsible for knowing and understanding your rights and obligations as outlined in this handbook and in written correspondence from UI. Knowing the requirements will help you avoid overpayments, penalties, and fraud.
- **When you file your claim, you will be required to sign a Claimant Agreement.** If you file online, you sign the agreement online. If you file over the phone, you will be mailed the form. **Failure to return the signed form by the due date will stop payments until you return it.**
- **You must register for work and remain actively registered with Job Service, unless you are told otherwise by UI.** You may do so by going to your local Job Service office or at [jobs.mt.gov](https://jobs.mt.gov). This website is different from the one you used to file your claim. Your registration remains active by logging into your account and using a reemployment service, such as resume updating and job search assistance at least once every 90 days. Failure to register or remain active will stop payment.
  - *If you live in another state, you must register at the Job Service in your area, and remain actively registered. You may be asked to provide proof of your registration.*
- **Honestly and accurately report the reason you are unemployed when you file your claim.** We will need information for all your employment for up to 18 months when you open or reopen your claim. If you:
  - are ‘laid off,’ means the job is not continuing because there is no more work available with that employer.
  - are ‘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.
  - are ‘still working,’ means you are working less than your customary hours.
- **Report all hours you work and any wages you earn when you file your payment requests.** Incorrect reporting of hours and earnings may result in an overpayment or underpayment. See the section on page 20, for instructions on working part-time. Use the log on page 26 to track your hours and earnings.
- **If you have an Issue waiting for a decision to be made, continue filing your payment requests while you wait for a decision.** An Issue is a potential problem with your claim. This does NOT mean you are denied or ineligible. If you are found eligible, any back payments you qualify and have requested payment for will be paid to you.
- Find your claim information, check the status of issues or file an appeal at [ui4u.mt.gov](https://ui4u.mt.gov).

# 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 11*).
2. The reason you are unemployed.
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 any employers you've 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 weekly payment request and meet all eligibility requirements, but 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.

Reporting you are available for work, when you are not is  
**FRAUD.**

## You may receive benefits if:

- no work was available to you through no fault of your own.
- the employer reduced your hours due to lack of work.
- your discharge was not due to misconduct on your part.
- the reason you left is related to the work and allowed by law.
- you moved with your spouse due to a military reassignment.

## You may not receive benefits if you:

- left your job for personal reasons that were not work related.
  - *These reasons can include voluntary reduction of your hours, lack of transportation or child care, family issues, illness, or other personal reasons.*
- were discharged, suspended or fired for misconduct.
  - *Misconduct can include theft, dishonesty, or illegal actions, carelessness or negligence, attendance issues, violation of a known company policy or rule, insubordination or destruction of company property.*
- are on an employer approved leave of absence.
- are not working due to a strike or labor union dispute. Special laws govern these claims.
- **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 [jobs.mt.gov](https://jobs.mt.gov).

# STEPS TO DETERMINE ELIGIBILITY, AMOUNT AND LENGTH OF BENEFITS

These are the three steps to determining your eligibility for benefits.

## 1. Determining Your Base Period Wages

- You must have earned enough wages in your base period to be monetarily eligible. Your base period includes your wages over a 12 month period. The regular four quarter base period is the first four of the last five full calendar-year quarters, based on when you file your claim. If you are not eligible on a regular base period, UI is required to use an Alternate Base Period (ABP) which is the last four completed quarters.

		Regular Base Period			
The quarter you file a claim	The most recent completed quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
		Alternate Base Period (ABP)			

You will be mailed a Monetary Determination form that explains how much money you may receive. It shows:

- If this is your first notice showing how much money you could receive if eligible or if it has been corrected or updated.
- Your Name, Party ID – To help reduce identity theft, we use an individual identification number on most documents sent to you. Claim ID – The identification number on your claim.
- Your claim effective (start) and claim end (end) dates. This is the one-year period that benefits are available to you. Your benefits will end after you have used all the benefits available to you or one year has passed, whichever comes first.
- The date this document was mailed and the date by which you must appeal to change any errors you find on the document.
- If you have enough wages to qualify and if your eligibility was established using an Alternative Base Period. Your Weekly Benefit Amount (WBA). The number of weeks you may receive benefits. Your Maximum Benefit Amount (MBA).
- The beginning and end dates of your base period.
- The name of each of employer you worked for in your base period. The base period wages reported by your employer(s).

Review your Monetary Determination form for accuracy. All your base period wages should be listed, excluding wages from any federal, military or out-of-state employment. Those types of wages will show as pending. If you believe the wages or employers listed are wrong or missing, contact the Claims Processing Center. Inaccurate wages could cause you to receive a benefit underpayment or overpayment. You can review your Monetary Determination by logging on to [ui4u.mt.gov](http://ui4u.mt.gov) and selecting the “View Claim Information” link.

If your Monetary Determination indicates you are ineligible due to a lack of qualifying wages, you may request that your wages be adjusted from “as paid” to “as earned”. Contact the Claims Processing Center to discuss this option.

## 2. Job Separations

- You and your employer both have the right to end your working relationship at any time. The circumstances of your separation will determine whether or when you may receive benefits.
- You may receive benefits if you are unemployed or your hours were reduced, through no fault of your own.
- If you are unemployed due to a **suspension, leave of absence, quit or discharge**, you must report this, and provide details. Your employer will be asked about your separation, and your eligibility will be determined based on state and/or federal law.

## 3. Able, Available and Seeking Work

- You must be able, available and actively seeking work. This means you are:
  - *Physically and mentally able to work*
  - *Available to accept work immediately if a job is offered*
  - *Actively seeking work and meeting your work search requirements*
    - *Be sure to keep a complete record of your weekly work searches for three years in case you are selected for an audit. Track your work searches on the form on page 25.*
  - *Registered for work at [jobs.mt.gov](http://jobs.mt.gov) or at your local Job Service office if you live outside of Montana.*

You will receive a Notice of Determination (a written decision) on issue(s) affecting your eligibility.



# IMPORTANT

## FOREIGN RESIDENCE OR

**FOREIGN TRAVEL – You may be denied payments if you live in or travel to a foreign country. Call the Claims Processing Center if you have questions.**

**ALIEN STATUS – Only U. S. citizens or legally authorized workers may be eligible for UI benefits. If you indicate you are an alien, you will be asked to provide a copy of the front and back of your registration card to verify your status with the Immigration and Naturalization Service. Once your registration is verified, you will be paid if you are found eligible.**

# REMAIN ELIGIBLE FOR YOUR CLAIM, WORK SEARCH REQUIREMENTS

**For each week you request payment, the following requirements must be met to remain eligible for benefits:**

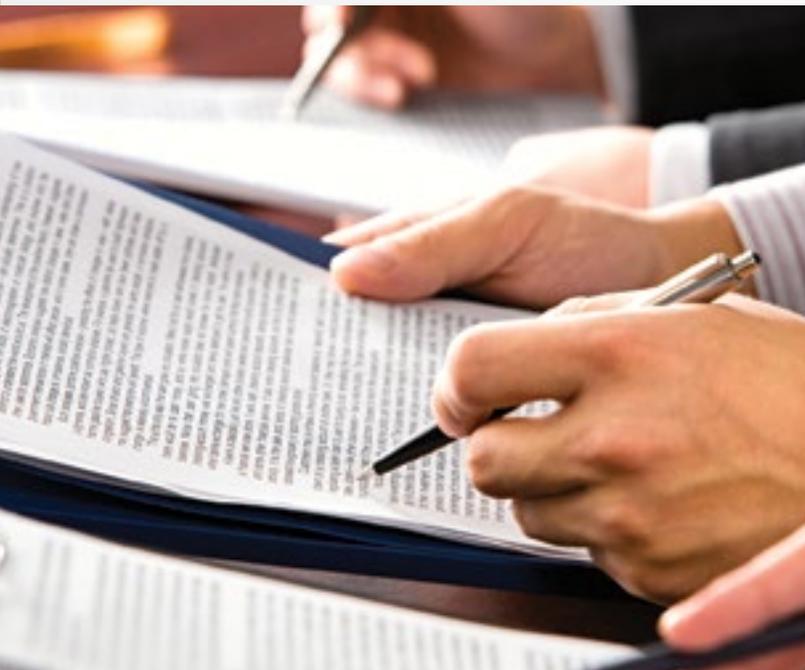
**Be Able to Work** – You will be asked each week if you are able to work. If you are ill, disabled, or unable to work, you must report this when you make your weekly payment request.

**Be Available for Work** – You will be asked each week if you are available for work. If you are unavailable for any reason, you must report this when you make your weekly payment request. For example you:

- do not have childcare, transportation, or other personal situations that prevent you from working.
- leave the area of your permanent residence for more than 2 days.
- take time off work or do not work all your normally scheduled hours for reasons other than a reduction in hours by your employer.

**Apply for Work** - You are required to make at least one work search contact every week you request benefits. A work search contact means you apply for a specific job you are qualified to perform, willing to accept, and in a location where you are willing to work. As your length of unemployment increases, you may have to apply for jobs that are not equal to your previous work in terms of pay, benefits, position type, etc.

- Applications or resumes must be submitted within the calendar week (Sunday – Saturday) for which you request payment and on the days of the week when hiring is normally done. Submitting an application or resume will allow the employer to contact you for a job interview or to begin employment.
- Applications or resumes must be submitted directly to the employer or their authorized agent. This is normally done in person, unless the normal method of applying for work in your industry or occupation is the submission of an application or resume by mail, Internet or fax.
- Applications cannot be made with the same employer two weeks in a row.
- You are required to report your work search contact information on your weekly payment request every week. If this information is not submitted or is incomplete, you may be denied benefits.
- Record your job application efforts and keep your records for three years in case your claim is selected for an audit. Reporting you applied for work when you haven't is fraud.



## 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 by checking with Job Service, help wanted ads, yellow page listings, etc. Apply for work in person, via Internet, or by mail. **Checking the Job Service Boards or help wanted ads does not meet your work search contact requirement – you have to apply for a job each week.**
- Apply only with employers you know are hiring or will keep your application on file.
- Seeking self-employment does not meet your work search requirements.
- Applications will be checked with the employer. Keep copies of the applications, confirmations, or emails as proof of your work search.

## The following situations may allow you to be excused from the weekly work search if you are:

- Job Attached. Job attached status is given to a claimant who meets the department requirements of a verifiable guarantee of returning to employment. This authorization exempts you from seeking work and the requirements are explained at the time of filing a new or additional claim for benefits. If allowed, you are not required to seek work; however, you must still be available to offers of employment.
- Union Attached. You are a member of a union with an exclusive hiring hall, your dues are current and you are on the out-of-work list.

*(If you meet UI criteria for job or union attachment, the employer/union may be contacted to verify.)*

**The type of information you should record from your job applications is on the work search log on page 25.**



# IMPORTANT

**REFUSING WORK – If you are offered work you are qualified for and able to do while requesting payments, you must accept the work. After you have requested benefits on your claim for 13 weeks, you must be willing to accept work paying 75% of your previous wage, but not less than the federal minimum wage. Refusing work has serious consequences. If you refuse work, you must report this on your 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 took time off or missed 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.**



# GETTING PAID, TAXABLE PAYMENTS, HOW TO STOP OR RESTART A CLAIM

## How and when do I get paid?

You must 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 Saturday at midnight. Wait until after midnight Mountain Standard Time (MST) on Saturday to request payment of benefits for the previous week. You have 7 days after the benefit week ending to request payment.

EXAMPLE if your first week runs the 1st through the 7th:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 (Start of benefit week)	2	3	4	5	6	7 (End of benefit week)
8 (File online between 12:01am MST this day and...	9	10	11	12	13	14 ...midnight MST of this day for the benefit week)

**IMPORTANT**

Your direct deposited payment is available to you at most banks within two days of the payment clear date shown on your online account in [ui4u.mt.gov](http://ui4u.mt.gov). A mailed check for your payment may take longer to be delivered.



### **How do I stop my claim?**

If you no longer need benefits, just stop requesting payments. Your claim becomes inactive after two weeks.

**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 deny or delay future payments.**

**Your claim will automatically become inactive if for any 2 weeks in a row:**

- You worked at least 40 hours or worked your regular (customary) hours.
- You earned two times your weekly benefit amount or more.
- You answered “No” to the question, “Do you want to file for this week?”
- Any combination of the above.

In order to request benefit payment, you must reactivate your claim. Benefit payments cannot be requested on an inactive claim.

### **How do I reactivate my claim?**

If your hours are reduced or you become unemployed, you must reactivate your claim during the week for which you want to receive payment. Go to [ui4u.mt.gov](http://ui4u.mt.gov) or call the Claims Processing Center. You will need to provide any employer names and dates you worked since you last received payment. You can reactivate your claim anytime during your benefit year.

### **Your UI payments are taxable by the federal government.**

You can have 10% withheld from your weekly payments for tax purposes. This option is available on [ui4u.mt.gov](http://ui4u.mt.gov) or in the documents sent to you. In January, you will be mailed Form 1099-G which reports benefits paid to you the previous calendar year.

**To receive your Form 1099-G, keep your address current. You can view and print your 1099-G at [ui4u.mt.gov](http://ui4u.mt.gov).**

Questions about taxes on UI payments should be directed to the IRS. Montana does not tax your UI payments.

**REMEMBER:  
A UI week is Sunday  
through Saturday.**



# SCHOOL EMPLOYMENT, ATTENDING SCHOOL

## School Employment

If you worked for a school, UI must determine if you have reasonable assurance of returning to work for your last school, or any other school, after a scheduled school break. UI is required to review all wages earned from school employment during your base period.

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.

UI may not be able to include your school wages as part of determining your weekly benefit amount during a scheduled school break.

**Scheduled school breaks are defined as breaks shown on the official school calendar (i.e. Christmas Holiday, Spring Break, Summer Recess).**

## Attending School

If you attend school or training while unemployed, you may be eligible to receive benefits. Your coursework or training must improve your ability to get a job, get a more stable job, or increase your earning power. UI reviews the information you provide about your school or training to determine your eligibility.

You should report all school or training participation to the Claims Processing Center, regardless of whether you attend full-time or part-time, take online classes, correspondence courses, or go to a classroom.

**Required employer training for which you are paid regular wages is considered work, not school or training by UI. You must report these hours and earnings when you file your weekly payment request.**

# FILING QUESTIONS TO REQUEST WEEKLY PAYMENT\*

Below are the questions you will be asked when completing your weekly payment request along with information for each question. Having these pages on hand when you file will help reduce errors that could delay payments. Inaccurate or untruthful answers to these questions are considered fraud.

**Remember to request benefits within 7 days of the end of the week for which you are filing your payment request. If you don't file within this time, you will be ineligible for benefits that week.**

You will be asked the following questions for each week you file for unemployment insurance benefits:

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

Means you wish to receive benefits, and worked less than your customary hours. If you worked full-time you cannot receive benefits.

### **1. Did you quit or get fired from a job this week?**

Quit or fired 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 any reason other than a reduction in hours by the employer. “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 search contact this week and you will be asked to provide information on the business you contacted. The information asked can be found on the work search log on page 25. “No” means you did not look for a job this week. You will be asked for your job or union attachment information, or you will need to explain why you did not look for work.

If you are uncertain of your work search requirements, refer to pages 13 and 14 or contact the Claims Processing Center.

### **4. If work had been available, were you physically and mentally able to work?**

Able to work means you had no physical or mental condition that would have prevented you from working or accepting work at any time during the week.

### **5. Were you available to work this week?**

You are available if 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 for work means you are ready and willing to accept “suitable work”. If you are job or union attached, you must be ready and willing to return to work when notified by your employer or union.

### **6. Did you attend school or were you in training this week? “Yes” means you were attending school or training full or part-time or participating in online courses.**

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

### **8. Did you refuse any work during this week? Refusing work means you turned down work that was offered to you or you did not work all the hours that were available to you.**



The next series of questions refer to your hours of work, 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 form available when you are filing your claim. Form is on page 26.

**9. Enter the total number of hours you worked this week.** A week for unemployment insurance runs Sunday through Saturday. If your work week does not follow this same time period, be sure to report the hours you worked in the Sunday through Saturday week. Include the number of hours worked and any hours you attended required paid training. Combine all hours and partial hours for each day worked. **Do not include hours of paid time off, such as vacation time, sick time, comp time and personal time off.**

EXAMPLE: worked 6.25 hrs.+7 hrs.+ 7.25 hrs. = 20.5 hrs. Report 20 hours.

If you report hours, you will be asked to **Enter total earnings for hours worked this week** even if you haven't been paid yet. Include tips and room and board if it is part of your salary.

To figure your earnings, multiply the total number of hours and parts of hours (not the rounded down number) you worked by your hourly rate of pay. Report your earnings rounded down to the nearest whole dollar.

EXAMPLE: 20.5 hrs. x \$8.50 per hour = \$174.25. Report \$174.

**REMEMBER:**  
**Gross earnings are wages before taxes and other deductions.**

**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, comp time or Personal Time Off (PTO), 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 have not been paid or did not get called in to work this week.

**12. Enter the amount of bonus pay received this week.** Because you may not know when you will receive a bonus, it is reported in the week it is received.

**13. Enter the amount of commission pay received this week.** The receipt of commissions can be difficult to predict, so a commission is reported the week it is received, not the week it is earned.

**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.

*\*These questions may change due to updated program requirements.*

# HOURS & EARNINGS, WORKING PART-TIME, CUSTOMARY HOURS

## What if I work while getting UI benefits?

You may work part-time and still be eligible for partial UI benefits, if you meet eligibility requirements.

## 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 Log on page 26. It is important that you 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 dollar. DO NOT ROUND DOWN UNTIL AFTER CALCULATING.

**EXAMPLE:** You worked 10.25 hours at \$9.95 per hour.  $10.25 \times \$9.95 = \$101.99$ . Round down to \$101.00.

If you work more than one job, add the total hours and partial hours for each job together. 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 times the rate of pay for each job. Do this same calculation for other jobs 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.

The following are earnings that 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 is reportable during 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. Further information is available on [ui4u.mt.gov](http://ui4u.mt.gov).

The following are earnings that must be reported the week they are **paid**:

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



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

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

- Separation/Severance Pay - Should be reported when you open your claim **and** when you file your weekly payment request for the week of separation.
- Application for or receipt of retirement pay, disability benefits or pension, including Social Security.

Contact the Claims Processing Center 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.

Other deductions that may reduce your 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.*
- Income Tax withholding
- Supplemental Nutrition Assistance Program (SNAP) overpayment
- Repayment of overpaid benefits
  - *If you have an overpayment of UI benefits, 50% of your weekly benefit payment will be applied to your overpayment.*

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

- *Self-employment earnings*
- *Sole proprietors and working members of partnerships and LLC’s*
- *Agricultural workers*

Check the website, [uid.dli.mt.gov](http://uid.dli.mt.gov) for a full list.

**If you start to receive disability, retirement or pension payments, back pay awards or Workers’ Compensation payments, you must contact the Claims Processing Center.**

**How many hours can I work and still get benefits?**

If you work your customary hours in any week, you will not be eligible for benefits. Customary Hours means the average number of hours you worked each week during your base period. This number is subject to verification by UI.

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 [uid.dli.mt.gov](http://uid.dli.mt.gov) or [ui4u.mt.gov](http://ui4u.mt.gov), or refer to the following example to figure your partial benefits.

Partial Benefits							
A	B	C	D	E		=	
Regular Benefit Amount	Weeks Gross Earnings*	Divide Column A by 4*	Column B Minus Column C	Divide Column D by 2*	Column A Minus Column E	=	This Week’s Benefit Amount
\$154.00	\$150.00	\$154.00/4	\$150.00 -\$38.00	\$112.00/2	\$154.00 -\$56.00	=	\$98.00
		\$38.50	\$112.00	\$56.00	\$98.00		

\*Round these amounts down to nearest whole dollar amount.

# DETERMINATION, APPEAL PROCESS, REQUALIFICATION, SPECIAL PROGRAMS

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## Determination

You will receive a Notice of Determination (a written decision) on issue(s) affecting your eligibility. Read these decisions carefully and completely.

## Appeal Process

An appeal is a request to change a decision you do not agree with. You and your employer have the right to appeal decisions made on your claim. **You have 10 days from the date of the decision to contact UI to file an appeal.** You may make your appeal online at [ui4u.mt.gov](http://ui4u.mt.gov), by mail, fax or phone. The process:

- If you or your employer disagree with the Notice of Determination on an issue, you can request a **redetermination**. You will be asked to provide a reason you disagree and any new supporting facts. A second decision will be mailed to all appropriate parties.
- If you or your employer disagree with the redetermination, you can request a telephone **appeal hearing**. The Office of Administrative Hearings will notify you of the hearing time and date and conduct the hearing. A third decision will be mailed to all appropriate parties. To watch a video on the appeal process, go to [uid.dli.mt.gov](http://uid.dli.mt.gov).
- If you or your employer disagree with the appeal hearing decision, you can request a **review** with the Board of Labor Appeals (BOLA). BOLA will notify you of the review time and date and conduct the review. If you disagree with the BOLA decision, you have the right to appeal to District Court and then a final appeal can be made to the Montana Supreme Court.

**Keep requesting payments while your appeal is being processed. If a decision allows you to receive benefits, you will be paid only for the weeks you filed on time. If a decision that allowed you benefits is reversed, you will be required to repay any benefits you were paid for the weeks you were disqualified.**

## Requalifying for Benefits

Requalifying for benefits is different than appealing the decision: it ends your disqualification or ineligibility.

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 either provide proof of new wages or you attend three consecutive months of appropriate training.
- You become able and available for full-time work and begin making valid work searches.
- You separated due to health reasons and you meet specific requirements. For more information go to [uid.dli.mt.gov](http://uid.dli.mt.gov).

## SPECIAL PROGRAMS: Worker Profiling and Reemployment and Eligibility Assessment (REA)

These programs are designed to help people who may need help getting a job or returning to work. The Job Service is the primary contact for these programs. If you are selected for either or both, you will be notified by mail and are required to participate. **If you do not respond on time or refuse to attend, you will be denied benefits.**

# FREQUENTLY ASKED QUESTIONS

Check the video and audio area of our home page at [uid.dli.mt.gov](http://uid.dli.mt.gov), for more information on other UI topics.

## What if I change my address?

You have three business days to change your address online at [ui4u.mt.gov](http://ui4u.mt.gov) or contact the Claims Processing Center. This will prevent a delay in receiving payments or information. **THE POST OFFICE WILL NOT FORWARD ANY MAIL FROM UI.** If we cannot contact you, benefits will be stopped. You may receive mail or requests for information up to three years after your claim has expired.

## Why haven't I received my payments yet?

There may be several reasons:

- You failed to return paperwork timely.
- You failed to request your payments on time.
- Your claim was closed because you did not file for two weeks in a row.
- You reported excess earnings or hours for two or more weeks in a row.
- You have issues waiting for a decision by UI. You must continue to file weekly payment requests while waiting for a decision.
- UI does not have your correct and most up to date address on file.

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

## Why can it take so long to get a decision?

UI investigates each issue on your claim. Both you and the employer are given up to eight days to provide any supporting information; conflicting information causes the process to take longer. This process is important to arrive at the right decision and pay benefits correctly.

## After I file my claim, when should I call the Claims Processing Center?

You should call us to report:

- An unpaid suspension from work
- New self-employment
- Retirement pension not previously reported
- Any Workers' Compensation payments received due to wage loss or change in status of a Workers' Compensation claim.
- Any change in school schedule if you are in UI approved training
- Vacation or leave of absence from work
- Back pay award

## Do I need to report Social Security or Workers' Compensation payments?

Yes. See page 21.

## Is information verified?

Yes. Information is verified to ensure only those who are entitled to benefits receive them. It is important to always give complete and true information. Separation information is verified with your employers.

- Federal law requires all claims be subject to **random audit**. If your claim is selected, your work search contacts, earnings and other information in your file will be verified.
- Employers are required to report any new employees hired. This information is matched against unemployment insurance claims.

**REMEMBER:**  
**If you can't find the answer to your question in this book, call the Claims Processing Center. Do not rely on information from your friends or neighbors.**



## FREQUENTLY ASKED QUESTIONS (CONTINUED)

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### **Can I get benefits after I've been disqualified?**

Possibly. 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 22.

### **What if I don't receive my check?**

Call the Claims Processing Center.

- If it was returned due to a bad address we can re-mail it after you have notified us of the correct address.
- If the check was lost or stolen, you will be sent a form to complete and have notarized. After 14 calendar days, a new check will be issued. Direct Deposit eliminates this worry. (Please note: Direct Deposit takes two days from the clear date shown on your claim in [ui4u.mt.gov](http://ui4u.mt.gov) before funds are released into your account.)

### **My employer thinks I should get benefits, why am I not eligible?**

Employers do not determine if you get 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 weekly payment request, what do I do?**

Contact the Claims Processing Center at 406-444-2545 or 406-247-1000 or go to [ui4u.mt.gov](http://ui4u.mt.gov), sign in and click on Ask UI. You will be able to send a message explaining your mistake.

### **Can I go to school and receive benefits?**

Possibly, if your school attendance does not interfere with your ability to find and accept full-time work or you are in training approved by UI.

### **Can I get more money after my benefits run out?**

No. Once you have been paid your Maximum Benefit Amount (MBA) during a benefit year, you must wait until that claim expires before opening a new Montana claim. You will be notified in the event of special extensions.

### **Do I need to register for work at the Job Service?**

Yes. You must register for work online or in person at the Job Service unless UI has determined you are Job Attached or Union Attached. Job Service staff can assist with testing, counseling, job training programs, and job seeking skills.

### **What if I'm back working and get a letter from UI?**

Read and respond, if asked, to any letters you receive. If you do not respond it can affect your previous or future benefits.

### **What laws and rules govern Montana UI?**

Montana Code Annotated, Title 39, Chapter 51 and Administrative Rules of Montana, Title 24, Chapter 11.

For answers to other questions, visit the UI home page at [uid.dli.mt.gov](http://uid.dli.mt.gov) or contact the Claims Processing Center at 406-444-2545 Helena or 406-247-1000 Billings or go to [ui4u.mt.gov](http://ui4u.mt.gov), sign in and click on "Ask UI." You will be able to send a message with your question.

# WORK SEARCH CONTACT LOG

Copy this form or more copies are available at [uid.dli.mt.gov](http://uid.dli.mt.gov).

Date Applied (MM/DD/YYYY)	Business Name, Address, Phone, Email or Website Address	Name & Title of person contacted	Position Applied For	Method Used to Apply <i>(check all that apply)</i>	Results	Email or Website Confirmation Number
				<input type="checkbox"/> In Person <input type="checkbox"/> Phone/Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email <input type="checkbox"/> Website	_ Hired _ Pending _ Not _ Hiring	
				<input type="checkbox"/> In Person <input type="checkbox"/> Phone/Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email <input type="checkbox"/> Website	_ Hired _ Pending _ Not _ Hiring	
				<input type="checkbox"/> In Person <input type="checkbox"/> Phone/Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email <input type="checkbox"/> Website	_ Hired _ Pending _ Not _ Hiring	
				<input type="checkbox"/> In Person <input type="checkbox"/> Phone/Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email <input type="checkbox"/> Website	_ Hired _ Pending _ Not _ Hiring	
				<input type="checkbox"/> In Person <input type="checkbox"/> Phone/Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email <input type="checkbox"/> Website	_ Hired _ Pending _ Not _ Hiring	
				<input type="checkbox"/> In Person <input type="checkbox"/> Phone/Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email <input type="checkbox"/> Website	_ Hired _ Pending _ Not _ Hiring	

**Remember to:** Keep copies of emails or website confirmations in either paper or electronic form. Contact people with hiring authority or an authorized agent when seeking work. Always submit applications or resumes. If the employer says they are not accepting applications at that time, you must make another work search for that week.

**Reading newspaper, bulletin board or website job listings does not make a valid work search. You must apply for a specific job.**

UI may audit your claim at any time for up to three years. You may be asked to produce this log with all requirements filled in or you may not be eligible for benefits.

# HOURS & EARNINGS LOG

Copy this form or more copies are available at [uid.dli.mt.gov](http://uid.dli.mt.gov).

Record hours from additional jobs on separate grid and add together each week.

Week Ending Date	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total Hours	Pay Rate	Gross Pay
Regular Hours									X\$	=\$
Overtime Hours									X\$	=\$
Hours at Different Rate									X\$	=\$
								<b>Total Hours:</b>	<b>Total Gross Earnings</b>	
									\$	

Week Ending Date	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total Hours	Pay Rate	Gross Pay
Regular Hours									X\$	=\$
Overtime Hours									X\$	=\$
Hours at Different Rate									X\$	=\$
								<b>Total Hours:</b>	<b>Total Gross Earnings</b>	
									\$	

Week Ending Date	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total Hours	Pay Rate	Gross Pay
Regular Hours									X\$	=\$
Overtime Hours									X\$	=\$
Hours at Different Rate									X\$	=\$
								<b>Total Hours:</b>	<b>Total Gross Earnings</b>	
									\$	

Week Ending Date	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total Hours	Pay Rate	Gross Pay
Regular Hours									X\$	=\$
Overtime Hours									X\$	=\$
Hours at Different Rate									X\$	=\$
								<b>Total Hours:</b>	<b>Total Gross Earnings</b>	
									\$	



# DEFINITIONS OF TERMS YOU NEED TO KNOW

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**Alternate Base Period (ABP)** – The preceding four calendar quarters at the time an initial claim for benefits is filed. For individuals who are not monetarily eligible based on the regular base period, UI must use this to establish monetary eligibility. An ABP or base period is four quarters (one year).

**Administrative Penalty** – Imposed when a claimant knowingly failed to disclose facts or provided incorrect information to obtain or increase benefits. Can disqualify you from receiving future benefits for up to 52 weeks.

**Appeal** – A process for requesting a formal review of a UI decision. A claimant or employer can challenge a decision if they believe it is wrong under the law or facts or if they have new information that could affect the decision. An appeal must be filed within 10 calendar days from the date of the written decision.

**Base Period** – The first four of the last five completed calendar quarters at the time an initial claim for benefits is filed. Your weekly benefit amount is based on how much you earned during this time.

**Benefit Week** – Each benefit week begins on Sunday and ends at midnight the following Saturday.

**Benefit Year or Benefit Year Ending (BYE)** – A benefit year is 52 weeks. The Saturday of the last week of a claim is the benefit year ending date. When a benefit year ends, a new claim can be filed.

**Claimant Agreement** – A form you complete that verifies you are a citizen or a national of the United States and 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 immediately.

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

**Claim End Date** – The last Saturday of a claim year (see Benefit Year Ending).

**Claims Processing Center** – 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.

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

**Customary Hours** - The average number of hours per week that you worked in covered employment during the base period of your claim. Covered or insured employment is a job where the employer pays UI tax on the wages you earn. Once your claim is filed, you may not be eligible for benefits during any week you work that number of hours or more. It is very important that you estimate your hours correctly as this may be verified with your employer. If hours you provide are incorrect, it could cause an overpayment or underpayment.

**Determination** – A decision about your eligibility for benefits regarding a specific Issue. You may receive multiple decisions if there are multiple issues on your claim.

**Double-Dip** – Does not allow you to collect benefits on a 2nd claim if there has been no new employment since the initial separation from work on the prior year's claim. A person cannot file for two consecutive years without new employment.

**Electronic Funds Transfer (EFT)** - Direct deposit of benefits into your bank account. The bank will usually post your deposit 1-2 days after receiving it.



## DEFINITIONS (CONTINUED)

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**Excess Hours** - Hours of work equal to, or greater than, your customary hours. You will not be eligible for benefits in a week in which you work either your customary hours or 40 hours.

**Excess Earnings** - Earnings for a week that are twice the weekly benefit amount or more. You are not be eligible for UI in a week you have excess earnings.

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

**Gross Misconduct** – A criminal act, other than a violation of a motor vehicle traffic law, for which an individual has been convicted in a criminal court or to which the individual has 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 for a separation due to gross misconduct is 52 weeks of disqualification.

**Inactive Claim** – A claim that has not had a payment request made for two consecutive weeks becomes closed. See page 16.

**Initial Claim** – A claim filed establishing a new benefit year and a 1-year eligibility period.

**Issue (or Eligibility Issue)** – Any act or circumstance that may disqualify a person from receiving benefits.

**Insufficient Wage Credits** – Term used to define a claim that does not have enough wages in the base period to be eligible. Also referred to as “monetarily ineligible.”

**Job Attached** – Job attached status is given to a claimant who meets the department requirements of a verifiable guarantee of returning to employment. This authorization exempts you from seeking work and the requirements are explained at the time of filing a new or additional claim for benefits. If allowed, you are not required to seek work; however, you must still be available to offers of employment.

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

**Misconduct** – Deliberate or careless disregard of an employer’s or another employee’s rights or interests. If it is shown the discharge was due to misconduct, benefits will be denied.

**Monetary Determination** – A form mailed to you early in the claim process showing, if you are eligible, how much you qualify to be paid in benefits each week, the maximum benefit amount and other details on your claim for that claim year. Be sure to check it for accuracy.

**Overpayment** – A payment of benefits you are not entitled to under Montana rule and law.



**Partial Benefits** – Amount of UI benefits you may receive while working, if your customary hours are reduced.

**Personal Identification Number (PIN)** - A 4-digit number selected for security purposes that, along with a Social Security Number(SSN), identifies you to [ui4u.mt.gov](http://ui4u.mt.gov).

**Personally Identifiable Information (PII)** – Data that reveals or that could foreseeably be combined with other publicly available information to reveal the name or an identifying particular about an individual, employer or employing unit such as an SSN, date of birth, account numbers.

**Profiling (Worker)** – A special program run by the Job Service to assist you with your employability. When contacted, you are required to participate. Contact your local Job Service for questions and more information.

**Redetermination** – A new decision based on a review of all the facts relating to an Issue on your claim, made by a different staff person.

**Register for Work** – A requirement that you establish and maintain an active account with Job Service. This can be done online at [jobs.mt.gov](http://jobs.mt.gov) or in person at your local Job Service office.

**Requalifying Wages** – New earnings in UI covered work, beginning with the Sunday after your disqualifying separation or work refusal. These earnings may allow you to requalify for benefits.

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

**Union Attached** – You are an active union member, current on your dues. 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 for any offer of suitable work.

**Waiting Week** – The first eligible week in a new claim. This is not a paid week, but must be claimed in order to receive credit for it.

**Workforce Investment Act (WIA)-Approved Training** – A program which may pay for retraining of some unemployed workers. This program allows you to attend school and receive benefits while being retrained.

**Weekly Benefit Amount (WBA)** – The maximum amount 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 form.

**Work Search** – A contact you make with an employer in search of work. You are required to make at least one work search contact per week while claiming benefits. You must keep a written record of the contact.

# 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)(C)(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 Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any 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 WIA Title I financially assisted program or activity.
- Providing opportunities in, or treating any person with regard to, such a program or activity.
- Making employment decisions in the administration of, or in connection with, such a program or activity.

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 do not have to wait for that Notice before filing a complaint with the CRC. However, you must file your CRC complaint within 30 days of the 90 day deadline (within 120 days after the day on which you filed your complaint with the recipient). If you receive a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with the CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

## YOU MAY CONTACT THE CIVIL RIGHTS CENTER BY WRITING:

The Director, Civil Rights Center (CRC)  
US Department of Labor  
200 Constitution Ave NW Room 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 the Claims Processing Center 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  
MT Department  
of Labor & Industry  
PO Box 8020  
Helena MT 59604-8020

Phone: 406-444-3783  
ask for UI/ADA Officer  
(ADA/EO questions only)  
Montana Relay: 711



# HOW TO CONTACT UI

Unemployment Insurance Claim  
Processing Center:

**406-444-2545 | Helena**  
**406-247-1000 | Billings**  
**7:30 am to 4:30 pm (Monday – Friday)**  
**10:00 am to 4:30 pm (Wednesdays)**  
**Fax: 406-444-2699 (anytime)**

Individuals who are deaf, hard of hearing  
or have voice impairment may contact the  
**Montana Relay Service at 711.**

Mailing Address:  
**Unemployment Insurance Division**  
**PO Box 8020**  
**Helena MT 59604-8020**

Email: [ui4u@mt.gov](mailto:ui4u@mt.gov)  
Please include name, phone number and  
individual ID number. **Do not email your  
Social Security Number.**

For fastest service, file your claim  
online at [ui4u.mt.gov](http://ui4u.mt.gov).

**Questions about UI?** Go to [uid.dli.mt.gov](http://uid.dli.mt.gov) for all  
the latest information concerning the UI program  
including regularly updated videos to help you with  
your claim.

**Report UI Fraud** on [uid.dli.mt.gov](http://uid.dli.mt.gov) or call  
406-444-1709 or email [dliuidci@mt.gov](mailto:dliuidci@mt.gov).

**Go to [uid.dli.mt.gov](http://uid.dli.mt.gov)**

- for an audio version of this guide, click on  
“About UI”. Choose “Listen to the Claimant  
Handbook”.
- for a large print version of this guide, click on  
“About UI”. Choose “Print a Claimant Handbook”.  
Set your printer to the desired font size.



Montana Department of  
**LABOR & INDUSTRY**  
Unemployment Insurance

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