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

BENEFITS RIGHTS INFORMATION BOOKLET

INTRODUCTION

You recently filed a claim with the State of Louisiana for unemployment benefits. The information contained in this document is provided to inform you of your rights and responsibilities under the Louisiana Employment Security Law. You must follow the instructions contained in this document in order to qualify for benefits. Please read this information carefully.

WHAT YOU MUST DO TO RECEIVE UNEMPLOYMENT BENEFITS

- 1. YOU MUST MAKE A WEEKLY CLAIM FOR BENEFITS THROUGH THE “EASY CALL” SYSTEM AT 1-866-783-5567 OR ON LINE AT www.laworks.net. YOU MUST FILE FOR YOUR FIRST WEEK OF UI BENEFITS THE SUNDAY IMMEDIATELY FOLLOWING THE DATE YOU FILED YOUR UI CLAIM.** If you file your UI claim on Friday or Saturday you must file for your first week of UI benefits on any day Tuesday through Friday of the upcoming week and then, every Sunday or Monday thereafter. **Continue to file each week for as long as you are unemployed and wish to claim benefits.** You will be claiming benefits for the prior week. If you forget to file on Sunday or Monday, you may file on any other day of that week. However, in no case should you make your weekly call later than Friday at 5:00pm Central Time.
- 2. YOU MUST REPORT ALL EARNINGS DURING THE WEEK WHEN EARNED, EVEN IF YOU ARE NOT PAID DURING THAT WEEK. REPORT THE AMOUNT BEFORE DEDUCTIONS. INCLUDE ALL WAGES, COMMISSIONS, TIPS, AND GRATUITIES.** Each week when you request payment, you will be asked “Did you work between (date) and (date).” If you worked on or between those two dates you must report earnings. **Failure to report wages will be considered under the fraud provisions of the Louisiana law.**
- 3. To be eligible for benefits, you MUST be actively looking for work and MUST contact at least THREE different employers about job opportunities during EACH week that you claim benefits. You MUST contact DIFFERENT employers each week. You MUST register for work through your local Business & Career Solutions Center (Louisiana Workforce Commission job center) within 14 days of filing your first (initial) claim for unemployment benefits. Union members and those on temporary layoff with a definite date of return may be exempt from these requirements. See details later in this document.**

4. **YOU MUST APPLY FOR SUITABLE WORK** - The Employment Security Law provides that an individual shall be disqualified for benefits if the State Administrator finds that he/she has failed without good cause, either to apply for available, suitable work when so directed by the State Administrator or to accept suitable work when offered him/her, or to return to his/her customary self-employment (if any) when so directed by the State Administrator.
5. **IF YOU MOVE, YOU MUST REPORT YOUR NEW ADDRESS AS SOON AS POSSIBLE.** Instructions for changing your address are given later in this document.
6. **IN MOST CASES, BENEFITS WILL BE PAID THROUGH A DEBIT CARD OR THROUGH A DIRECT DEPOSIT INTO YOUR PERSONAL BANK ACCOUNT. ACTIVATE THE DEBIT CARD AS SOON AS YOU RECEIVE IT.** See details later in this document.
7. **ANY PAYMENTS YOU RECEIVED, OR EXPECT TO RECEIVE FROM YOUR EMPLOYER MUST BE REPORTED.**

If you failed to report a payment or were not aware of a payment at the time you filed your claim, and you receive it at a later date, you must contact the UI Call Center at 1-866-783-5567. Failure to report deductible income can result in a disqualification or an overpayment on your claim.

Reportable payments which may be deductible from your benefits include: Severance, Vacation, Holiday, Bonus pay, WARN Act, Wages in Lieu of Notice, Separation/Dismissal, Tips/Gratuity, Worker's Compensation, Military Retirement pay and any other periodic payment based on previous work. If you have any questions about deductible income, contact the UI Call Center at the number shown above immediately for assistance.

IF YOU HAVE QUESTIONS:

If you have questions concerning your claim, you should call the UI Call Center at 1-866-783-5567.

CHANGING YOUR ADDRESS:

If you move, you must report your new address as soon as possible. You may change your address over the Internet at www.laworks.net or you may contact the UI Call Center at 1-866-783-5567. **DO NOT DELAY** in reporting these changes. **Changing your address with the US Postal Service will not change your address on file with the Louisiana Workforce Commission (LWC).**

GENERAL ELIGIBILITY

Unemployment insurance is funded by a tax on employers. **In Louisiana, nothing is ever deducted from your pay for these benefits.** Unemployment insurance is for individuals who work for wages from an employer who is required by law to pay the unemployment insurance tax. It does not include self-employment. Your employer or employers are notified immediately when you file for Unemployment Insurance. This notification gives your employer the opportunity to inform the LWC of

the circumstances surrounding your separation from employment (example: laid-off, quit, discharged/fired, etc).

To be eligible for unemployment insurance benefits you must meet the following requirements:

- (a) You must be unemployed. You may meet this requirement if you are working less than full-time and earning less than your weekly benefit amount. You must report all wages during the week in which they are earned.
- (b) You must be registered for work at your local Business and Career Solutions Center (Job Center). You must make a weekly claim for benefits through the "Easy Call" system or on line at www.laworks.net.
- (c) You must be able to work. When you are sick and unable to work even one day of a week, or if you are in a hospital even one day, do not claim benefits for that week. When you are again able to work, you must reopen your claim (see *New/Additional/Reopen Claims* later in this document).**
- (e) You must be available for full-time work. You must be in a position to take a suitable job, at any time. If at any time there is any reason that you cannot accept work, it is your responsibility to tell us.
- (f) You must actively look for work. You must contact at least three different employers about job opportunities each week. You should keep a record of your work searches, including the employer's name, address (mailing, web, or email), phone number, date of contact, person contacted, method of contact and results. Union members and those on temporary layoff with a definite date of return may be exempt from these requirements. See details later in this document.

BENEFIT YEAR

Your benefit year is the 52 calendar week period immediately following the Sunday of the week in which you file a claim.

During this benefit year you may draw a weekly benefit amount (not to exceed the weekly benefit amount shown on your monetary determination) for each week you are eligible until the maximum amount shown on the determination is exhausted. Earnings, pensions, accrued vacation, holiday pay, severance or dismissal pay, and wages in lieu of notice must be deducted.

If you exhaust your maximum amount before the end of the benefit year, you must wait until the end of the benefit year before you can file a new initial claim against Louisiana. Additionally, during defined periods of high unemployment you may be eligible for benefits under the Extended Benefits (EB) Program. As appropriate, you will receive further information regarding the EB Program or any other program enacted by Congress.

BASE PERIOD

When you file a new or first claim for benefits, your benefits will be determined on the wages you earned in covered employment in your base period, which is the first four of the last five completed calendar quarters immediately preceding the first day of your benefit year. The base period will appear on your monetary determination.

MONETARY DETERMINATION

When you file a new claim for benefits, you will receive a monetary determination in the mail. The monetary determination is a listing of your wages earned in each of the four calendar quarters of your base period. The determination will also show the maximum amount you can draw on your claim and your weekly benefit amount. When you receive the determination you should examine it carefully.

NOTE: If you have advised us of base period employment with either federal civilian or federal military wages, these wage credits may not appear on your initial monetary determination. This wage information is being requested from the federal government and will be added to your claim when it is received. **It is important that you continue to file for your weekly benefits during this time in order to ensure the proper processing of your payment request until the federal civilian and/or federal military wages become available.**

To have a monetarily eligible claim, the monetary determination must show that you have been paid wages for covered employment during the base period of your claim equal to at least \$1200 and at least one and one-half times your high quarter wages.

The weekly amount of unemployment compensation that you may receive is known as your weekly benefit amount and is fixed by law. The weekly benefit amount shall equal one twenty-fifth of the average of the total wages for covered employment paid to you during the four quarters of your base period. This amount shall be multiplied by 1.05 and this product shall be multiplied by 1.15. The resulting weekly benefit amount shall not exceed \$247 nor be less than \$10.

The maximum amount of benefits that you may receive during your benefit year is twenty-six times your weekly benefit amount.

Weekly benefits are not payable beyond the number of weeks shown on your monetary determination. A week of full benefits or one reduced or denied by severance pay counts as one of the allotted weeks.

REQUEST FOR RECONSIDERATION

When you receive your monetary determination you should review the listed employers and wages shown. Also, you should determine if there are missing wages or wages and employers listed that do not belong to you. If there is an error, you should immediately call the UI Call Center at **1-866-783-5567** and request assistance in filing for a monetary reconsideration, either to add or remove wages. When you file a reconsideration, you must have your monetary determination, your Social Security Card, W-2 form, check stubs or any other proof of wages earned, and the name and address of the employers for whom you worked during the base period of your claim

WHEN YOU FILE A REQUEST FOR RECONSIDERATION, YOU SHOULD CONTINUE TO FILE FOR WEEKLY BENEFITS EACH WEEK, FOR AS LONG AS YOU ARE UNEMPLOYED. If you are found eligible, you will be paid retroactively for all weeks for which you have filed and are otherwise eligible.

EMPLOYERS GET NOTICE

Your last employer and the Louisiana employers for whom you worked during and subsequent to your base period, as well as those employers you work for after filing the claim, will be notified of your application for benefits.

If a protest to your claim is filed by any of these employers, a determination will be made on the issue raised and both you and the employer will be notified of the determination. Either you or the employer may appeal such a determination.

NONMONETARY ISSUES – DISQUALIFICATION

Although you may meet the monetary requirements for unemployment compensation you may be disqualified. The Louisiana Employment Security Law requires the assessing of disqualification if:

- (a)** You left your employment without good cause attributable to a substantial change made to the employment by the employer.
- (b)** You were discharged for misconduct connected with your employment.
- (c)** You fail to (1) apply for available suitable work, (2) accept suitable work, or (3) return to your customary self-employment.

If you are disqualified for any reason listed in (a), (b) or (c) above, you will be denied benefits until you have been paid wages for work in covered employment equivalent to at least ten (10) times your weekly benefit amount following the week in which the disqualifying separation occurred and you have not left your last employer under disqualifying conditions. In addition, if you are disqualified under (b) above, and such misconduct has resulted in damage to the employer, no benefits can be paid based on wage credits earned with that employer.

- (d)** For any week that you are unemployed due to a labor strike, which is in active progress at the factory, establishment or other work locations at which you are, or were, employed, if you are participating in or stand to profit from the dispute.
- (e)** For any week, or part thereof, that you are receiving or seeking benefits under the unemployment compensation law of another state of the United States, Puerto Rico, Virgin Islands, Canada or District of Columbia.
- (f)** For any week, or part thereof, that you are receiving or have received: Wages in lieu of notice, compensation under the workers' compensation law, payments under any pension plan (excluding social security benefits), toward the cost of which a base period employer is contributing or has contributed in your behalf, vacation pay, severance or dismissal pay or holiday pay.

If the amount payable under this section with respect to any week is less than the benefits, which would otherwise be due, you will be entitled to receive for such benefit period benefits reduced by the amount of such payments.

- (g)** You fraudulently seek or receive benefits to which you are not entitled.
- (h)** You have not earned a specified amount of wages subsequent to the filing of a prior claim for which you received benefits.

- (i) You were discharged for the use of illegal drugs. Misconduct shall include discharge for either on or off the job use of non-prescription controlled substances.
- (j) If you fail to report/respond as instructed, you may be disqualified for benefits.

APPEALS

You have the right to appeal any nonmonetary determination or monetary reconsideration this agency makes with respect to your benefit rights. There are three methods of filing an appeal: on-line at www.laworks.net by mail addressed to the LWC Appeals Unit at PO Box 94094, Baton Rouge, LA 70804-9094 or faxed to (225) 346-6077. The appeal must be postmarked (if mailed), received (if submitted on line) or faxed within 15 days of our mailing the disqualification determination to the last address of record. If the legal 15-day period ends on a Saturday, Sunday or legal state holiday, then the appeals period is extended to the next workday that is not a holiday. **DO NOT DELAY YOUR APPEAL.** If you are filing your appeal late, you should explain why. Continue to file your weekly claims until a final decision has been issued.

If your appeal is timely filed, you have a right to a hearing before an Administrative Law Judge of the Appeals Tribunal. You may appeal an Appeals Tribunal decision to the Board of Review. You may appeal a Board of Review decision to the Judicial District Court where you reside.

The appeal hearings are usually conducted by telephone, therefore it is important that you provide LWC with a telephone number that you can be reached. After receipt of your appeal, you will be notified of a date and time that the hearing will be conducted. Upon receipt of the notice of telephone hearing, please familiarize yourself with the contents and follow the instructions as stated. You are asked for a phone number on your initial application but you may update your phone number at any time thru www.laworks.net or by calling the UI Claims Center at 1-866-783-5567. You may request an in-person hearing.

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

NEW/ADDITIONAL/REOPENED CLAIMS

Your first claim to establish a benefit year is called a new claim. You must report any job offers that you refuse to accept, and any job separations that may occur after you last filed a new or additional (renewed) claim before submitting a subsequent continued claim for benefits. An additional claim is necessary after each separation to start a new claim series. You must also file a renewal if you have a break in continuity in filing weekly continued claims, or if you have three or more consecutive weeks in which you report gross wages that are equal or greater than your weekly benefit amount.

Additional and renewal of claims may be done by internet at www.LAworks.net. If you have any questions you can contact the Claims Center at 1-866-783-5667.

TO FILE FOR WEEKLY BENEFITS

You may file your weekly claim for benefits through the Easy Call telephone system or online at www.laworks.net. You need to make only one claim each week.

If you use the Easy Call system, you may call at any time day or night. You will enter information into the system by pressing the numbers on a touch-tone telephone. "Easy Call" will repeat your answers to the questions and give you a chance to make corrections before going on. If you are disconnected or if you hang up before the system tells you that your claim has been accepted, you will have to call again to file that weekly claim.

On your first call, you will be asked to create a Personal Identification Number (PIN). Do not forget your PIN. You will need it each time you call "Easy Call." Warning: Your PIN has the same legal authority as your signature. Protect your PIN. Do not give it to anyone. If you believe someone knows your PIN, immediately call "Easy Call" and change the PIN. If you believe that someone has accessed your file, contact the UI Call Center at **1-866-783-5567**.

If you use the LAWWORKS Web site to file your weekly claim over the Internet, you may file on any day of the week following the Saturday of the week you are claiming. You cannot claim a week before it ends on Saturday at midnight. You will be given a confirmation number at the end of the transaction. You should make a copy of this page or keep a record of the confirmation number. Note: You must establish a Personal Identification Number (PIN) over "Easy Call" before you can enter your weekly claims through the LAWWORKS Web site.

REPORTING WORK SEARCH CONTACTS

You must actively look for work. To satisfy this requirement, you may be required to have an Eligibility Review and Re-employment Assistance Plan and you **MUST** contact at least three different employers about job opportunities during each week that you claim benefits. You **MUST** contact **DIFFERENT** employers each week.

You should keep a record of your work searches, including the employer's name, address (mailing, web, or email), phone number, date of contact, person contacted, method of contact and results.

If you are a member in good standing with a recognized craft union and continue to be available to your union for referrals to jobs, you must satisfy the work search requirement by reporting to your union hall at least once each week and securing a union officer's signed statement. If your home is more than 20 miles roundtrip from your union hall, you should call the union hall at least once each week. You should keep a record of the call, including the name of the person contacted, date and time of the call.

If you are on temporary layoff from your regular employer, with a definite return date for this employer (within a six-week period), you will have satisfied the work search requirement if you hold yourself available for re-employment at your last place of employment.

ELIGIBILITY REVIEW AND REEMPLOYMENT ASSISTANCE PLAN

Periodically during the benefit year, you will be advised to report to the nearest Business and Career Solutions Center for an eligibility review or to participate in reemployment assistance activities. This is to ensure that you are pursuing a course of action to become reemployed. **Failure to report as instructed can result in a denial of benefits.**

“Easy Call” Option 1: Filing for weekly benefits.

You will be asked nine questions pertaining to the week you are claiming. You will always be claiming the week ending the Saturday before you call. Answer each question Yes or No by pressing 1 or 9 or by saying “One” or “Nine”. Be sure to listen to the entire question.

Question 1:

Did you work during this week? If you did, you will be asked to list the gross wages you earned. **Do not** include cents. Enter the dollar amount only, followed by the pound sign (#).

Question 2:

Did you begin receiving a veteran’s administration allowance, an employer pension, or any other pension during this week, excluding Social Security benefits?

Question 3:

Did you receive or apply for workers’ compensation during this week? You should answer this question NO if this information was given when you filed your new or re-opened Unemployment Insurance claim.

Question 4:

Did you receive a vacation or severance payment during this week? You should answer this question NO if this information was given when you filed your new or re-opened Unemployment Insurance claim.

Question 5:

Did you receive a bonus payment during this week, excluding any incentive payments or safety awards? You should answer this question NO if this information was given when you filed your new or re-opened Unemployment Insurance claim.

Question 6:

Did you receive any holiday pay during this week? You should answer this question NO if this information was given when you filed your new or re-opened Unemployment Insurance claim.

Question 7:

Did you refuse work during this week?

Question 8:

Did you begin attending school or a training program during this week? You should answer this question NO if this information was given when you filed your new or re-opened Unemployment Insurance claim.

Question 9:

Were you able, available, and looking for work during this week? You should answer this question YES if you are able to work, available to accept work offered to you and looking for work.

WORK SEARCH CONTACTS:

At the end of the nine questions, you will be asked for the names of the three different employers you contacted for work, and the dates of the contacts. You should keep a record of your work searches, including the employer's name, address (mailing, web, or email), phone number, date of contact, person contacted, method of contact and results. Please have this information available when filing for your weekly benefits.

REPORTING EARNINGS

The Louisiana Employment Security Law requires that you report your gross earnings, before deductions, in the week worked, if you claim that week, even if such wages are not paid until a later date. **Failure to report these earnings may cause you to be charged with an overpayment or disqualification based on fraud.**

NOTICE: Louisiana has a computerized cross match system that checks Social Security Numbers against other states' records of wages to detect fraudulent claims. **"Your employment and earnings information may be used in data verification cross-match resources to determine eligibility and/or proper payment of unemployment benefits."**

"Easy Call" Options 2 – 6: Other Information

Other information is available on Easy Call including: the processing of your most recent check, the status of your appeal, the location of the nearest Louisiana Business and Career Solutions Center (Job Center), and the amount of UI benefits paid to you during a tax year.

DEBIT CARDS OR DIRECT DEPOSIT

In most cases, payments of UI benefits will be made through the use of Debit Cards or Direct Deposit. Shortly after you file your claim, you will receive a debit card in the mail. Instructions will be provided on how to activate the card. Once you have been found eligible for benefits, each week a deposit will be made to your debit card account for the amount of benefits to which you are entitled for that week. It may be 3 or 4 days after you file your weekly claim before the benefits are available through the debit card. You may inquire about the balance on the card, by contacting the customer service center listed on the card. The bank may assess a fee for this service. If the inquiry is made through an ATM machine, you will incur a charge if the requested information is printed. **The Debit Card will remain current for three (3) years after issuance. Please note the expiration date printed on the front of the card.** If you have problems with the debit card, contact Chase Bank at **1-866-795-5926**

If you wish to have your benefits paid through Direct Deposit, you should complete and sign the agreement form linked to at the end of this page. If you mark Checking Account or Savings Account you must fill in the Banking Institution information on the direct deposit form. Mail or Fax the agreement along with one of your checks (marked "VOID" if checking account is selected) showing your account number and your bank's transit/routing number to:

Louisiana Workforce Commission
Direct Deposit Processing
P. O. Box 94094
Baton Rouge, LA 70804-9094

Fax: (225) 346-6070 [Download the Agreement for Direct Deposit Form](#) (PDF).

WEEK OF WAITING

Your claim generally becomes effective on the Sunday before the day you file your claim. Benefits are claimed on a calendar week basis. Each week begins Sunday and ends at midnight the Saturday following. You are always filing for the week prior to the date that you submit your request for benefits.

The first seven days following the effective date of your new claim is generally your week of waiting. **You WILL NOT** be paid for the week of waiting.

TRAVEL

If you travel from place to place in search of work, you may continue to file for benefits by using the "Easy Call" system. You must be able to work, available for work, and actively seeking work while traveling. If you move to a new location, you must notify this agency to change your address, as soon as possible. Refer to **Changing Address** section found earlier in this document.

KEEPING RECORDS

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

THE PRIVACY ACT OF 1974

Under authority of the Internal Revenue Code of 1954 (26 U.S.C. 85 6011 (a), 605B and 6109 (a) this Agency requires that you enter your Social Security Number on the forms you submit when filing an unemployment insurance claim. Your Social Security Number and any other information you provide is subject to verification through matching programs with other government agencies. Your Social Security Number will be used in reporting to the United States Internal Revenue Service the unemployment compensation that we paid to you during the year. This information also may be requested and utilized for other governmental purposes; including, but not limited to, verification of eligibility under other programs.

IMPORTANT NOTICE ABOUT INCOME TAX

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

If you wish to change your original decision, call **1-866-783-5567**. If you do not choose to have federal income taxes deducted from your benefits, you should consult an agent of the Internal Revenue Service or your tax preparer for information on making quarterly estimated tax payments.

You will be furnished a statement, Form IRS 1099-G, at the end of the year, for benefits paid to you. The Internal Revenue Service will be given the same information. You must keep this agency informed of your correct address in order for you to receive your tax statement. The Form IRS 1099-G is also available at "Claimant Self-Services" once your UI claim is filed and you have established your account and began using the Louisiana Workforce Commission web site at www.laworks.net.

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

FRAUDULENT CLAIMS

You are cautioned that you must report truthfully about conditions, which affect your right to benefits.

You can be fined and/or imprisoned for knowingly making a false statement to obtain or increase your unemployment insurance benefits. An alien convicted of a felony for unemployment insurance fraud can lose his/her right to work in this country and/or be deported.

OVERPAYMENTS

If you receive benefits to which you are not entitled, you will be liable for repayment of these benefits. No future benefits will be paid until the overpayment is repaid and it is determined that you meet all eligibility requirements of the law.

If you do not agree with the determination of overpayment, you have 15 days to file a timely appeal (See "Appeals" section found earlier in this document).

INSTRUCTIONS FOR DIRECT DEPOSIT OF UNEMPLOYMENT INSURANCE BENEFIT CHECKS

Direct deposit is a convenient, safe, and reliable way to receive your benefits. You may have your benefit payments deposited directly into your bank account or financial institution.

If you choose direct deposit, you should complete and sign the agreement form linked to at the end of this page. Mail or fax the agreement along with one of your checks (marked "VOID") showing your account number and your bank's ABA number to:

Louisiana Workforce Commission
EFT Processing — U.I. Accounting
Post Office Box 94100
Baton Rouge, LA 70804-9100

Fax: 225-346-6070

Your bank or financial institution information will be kept strictly confidential. It is your responsibility to notify your bank or financial institution of your direct deposit arrangement.

Any benefit payment you are eligible to receive before your direct deposit request goes into effect will be deposited to your debit card.

If you file your weekly claims by "Easy Call," you will not receive any notification from the Unemployment Insurance Office that your benefit payment has been deposited into your account. It is your responsibility to verify receipt of benefits with your financial institution.

If a problem with your direct deposit develops, you will be notified by this department and provided information to assist you in resolving the problem. Payments will be sent to your mailing address until the problem is resolved.

Please click link to access the ["Agreement for Direct Deposit"](#) form. It is important that you keep a copy of this form.

