

# Unemployment Insurance Claimant Guide



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## To-Do List

Use the To-Do list below to help keep yourself on track with your unemployment insurance claims activity. Failure to complete required activities as directed will stop your claim and may result in the loss of benefits.

### **When you file an unemployment insurance benefits claim you must:**

- Complete weekly certifications online or by phone to receive benefit payments. (See page 6.)
- Respond to information requests by the designated deadlines. (See page 21.)

### **If you are not returning to your employer and/or if you are required to do weekly job contacts, you must also perform the following activities as outlined below:**

#### **Within 10 days of filing your claim:**

- Create or update your resume online at jobsnd.com. (See page 17.)

#### **Each week, starting the week you file your claim:**

- Complete a minimum of four (4) job contacts (or the number assigned to you) each week. (See page 15.) Use the Job Contacts forms in this guide to record your activity. (See pages 31-34.)
- You must report employment, self-employment, and other earnings when you certify each week. Non-reporting of earnings can result in an overpayment, penalties and potential for one year fraud determination. (See pages 8-10, 28)

#### **No later than the due dates indicated in the information Job Service provides:**

- Complete your reemployment activities online at jobsnd.com, if directed. Review your reemployment schedule on jobsnd.com for required activities and due dates. Schedule and complete the interview workshop in your nearest Job Service office. (See page 20.)
- Contact your case manager on the date and time scheduled if you have been selected to participate in case management activities. (See page 20.)

#### **Your resume will expire after 90 days. Keep your resume up-to-date and active to prevent a stop on your unemployment insurance claim:**

- Update your resume online at jobsnd.com. (See pages 17.)

You will need two different logins and passwords to complete online activities – a State of North Dakota login and password for unemployment insurance activities and a login and password to create your resume on jobsnd.com. Memorize your login information or keep it in a safe place since you will need it each time you log in.

Unemployment insurance claims are processed online at jobsnd.com. Call or visit a Job Service office for employment assistance and assistance with the **UI ICE** unemployment insurance online system.

## Introduction

This Unemployment Insurance Claimant Guide provides an overview of the benefit provisions of North Dakota unemployment compensation law. This guide is not intended to be your sole source of unemployment insurance information, nor is it a substitute for North Dakota unemployment compensation law. It is your responsibility to understand and follow the instructions provided in this guide and to seek answers to questions you may have. For more information and answers to specific questions visit [jobsnd.com](http://jobsnd.com).

This guide provides instructions and directions on things like filing or reopening your claim, weekly certifications, and completing eligibility requirements. It also explains your rights and responsibilities under North Dakota unemployment compensation law. Read this guide carefully. You can only receive benefits if you meet all of the outlined requirements.

## Disclosure of Information

State law provides that information Job Service obtains from you and your employers shall be held confidential and not be open to public inspection or disclosure, except as authorized by law. Notice: Confidential information collected from you as part of the unemployment insurance process may be requested and used for other governmental purposes, including, but not limited to, verification of eligibility under other government programs as required by law.

This Disclosure of Information provision also applies to your spouse, friends, and relatives. If you have a question or problem with your unemployment insurance benefits claim, YOU are the only individual to whom Job Service North Dakota will provide any information concerning your claim.

## What is Unemployment Insurance?

Unemployment insurance is temporary financial assistance you may be eligible to receive if you become unemployed through no fault of your own (as determined by federal and state law) *and* you meet other eligibility requirements. Unemployment insurance is funded entirely by employers' unemployment insurance program tax contributions. It is intended to provide partial wage replacement while you search for a new job or return to work.

## How To Receive Unemployment Insurance Benefits

There are three steps you must take in order to receive unemployment insurance benefits.

1. File or reopen a claim.
2. Complete weekly certifications.
3. Meet all eligibility requirements as required based on your unemployed status.

## File a Claim

You must file a new claim or reopen an existing claim online at [jobsnd.com](http://jobsnd.com) or by calling the automated phone system in order to receive unemployment insurance benefits. Your claim is effective the Sunday of the week in which you file your claim. **Job Service cannot backdate your claim.**

Your unemployment insurance benefit claim is good for one year based on the effective date of your claim. This 52-week period is called your benefit year. Once your benefits are exhausted for your benefit year, you must wait until the end of your benefit year before you can file a new claim in North Dakota. If you exhaust your North Dakota benefits and have earnings in another state, you may be eligible to file a claim in that state. If you have not used all the benefits in your benefit year and return to work, you can reopen your claim within the benefit year.

### Unemployment Claim Effective Date Example

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
<b>7</b> Your claim's effective date is the Sunday of the week in which you file your claim.	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	<div style="border: 1px solid black; padding: 5px;">                     If you file your claim on any day of the week outlined in bold above, your claim's effective date will be the 7<sup>th</sup> of the month.                 </div>		

Job Service will ask you and your employer(s) questions concerning the reason you are no longer employed to determine if you are eligible to receive benefits. The time this eligibility process takes varies and depends on the circumstances of your separation. Job Service must allow all parties involved appropriate time to respond to the questions asked of them. Generally, the sooner you and your employer(s) respond to questions, the sooner a decision on your claim can be made.

## Types of Unemployment Insurance Claims

### **Combined Wage Claim**

If you worked in North Dakota and any other state(s) and choose to use all your wages, you may be able to combine your wages and file a claim in North Dakota or any of the other states in which you have wages.

### **Unemployment compensation for Ex-Military Personnel (UCX)**

You may be entitled to unemployment insurance depending upon the length of your service in the armed forces and the nature of your discharge. If you separated from the armed forces within the last two years, submit a copy of your DD-214 when you file your claim.

### **Unemployment Compensation for Federal Employees (UCFE)**

If your unemployment insurance is based on your federal civilian wages, Job Service will receive reports from the federal agency verifying your status, wage records and official duty station.

On rare occasions, the federal agency may not provide information to Job Service in a timely manner. To ensure any payment due is made promptly, you may fill out the ES-935 Claimant's Affidavit of Federal Civilian Service Wages and Reason for Separation — UCFE form in the back of this guide. Credible evidence such as your SF 50, Earnings and Leave Statement, and/or a W-2 must be submitted with your ES-935 form. To ensure that the proper federal agency was contacted, please provide a copy of your Standard Form 8 (SF-8).

## How Much Will You Receive in Benefits?

Your Weekly Benefit Amount is based on wages you earned from liable employment during your Base Period. (See "Base Period" on the next page.) **Your approximate weekly benefit amount will be the total of your highest two and one-half quarters of base period earnings divided by 65.** The maximum and the minimum benefit amounts are determined by law and are subject to change each July. You can review the Unemployment Benefit Chart in the Documents section on jobsnd.com.

Your earned wages also help determine the duration of your claim and the maximum benefit amount you can receive. North Dakota state law determines the duration ratio which establishes the number of weeks you will receive benefits. The total number of weeks you can receive benefits ranges from 12 to 26 weeks. This duration is calculated by dividing the total number of wages in your base period by your highest quarter.

If you report earnings, or have other reductions to the benefits paid to you each week, you may actually receive benefits for more weeks than the number calculated by your ratio. However, you will not receive more benefits than your original maximum benefit amount. After filing your claim, you will receive a **Monetary Determination** letter that outlines your weekly benefit amount and the duration of your unemployment insurance claim. You should receive your monetary determination within 5 business days of filing your claim.

### **Base Period**

The amount of unemployment insurance you can receive is based on the wages paid to you during your base period. Base period is defined as the 12-month period consisting of the first four of the last five completed calendar quarters preceding the date that you filed your claim.

<b>If you filed your claim in calendar month:</b>	<b>Your base period is the previous:</b>
January, February, March	October 1 through September 30
April, May, June	January 1 through December 31
July, August, September	April 1 through March 31
October, November, December	July 1 through June 30

## **Canceling a Claim**

You can request to have your claim cancelled as long as:

- Your request is in writing,
- Your request is postmarked or received on or before the appeal date noted in your monetary determination letter, and
- No non-monetary determinations have been issued for your claim

Mail your request to Job Service North Dakota, P.O. Box 5507, Bismarck ND, 58506-5507 or fax it to 701-328-2728.

## **Reopening a Claim**

When you initially file your claim, a benefit year is established for you. Your claim is available for you to access during this year. If you return to work or quit certifying for more than two consecutive weeks, your claim becomes inactive. Your claim is available to be reopened should you become unemployed again during the year. In order to receive benefits after your claim has gone to inactive status, you must first reopen your claim.

Once your claim is inactive, you **MUST** reopen your claim during the week you wish to be paid in order to receive benefits. Your claim becomes effective the Sunday of the week you reopen your claim. Backdating a claim is not allowed. Please note that for Unemployment Insurance purposes, the week always starts on Sunday and ends on Saturday.

You can reopen your claim online at [jobsnd.com](http://jobsnd.com), or by calling the automated phone system.

### **Moving Out-of-State While Receiving Benefits**

If you move, update your mailing address and phone number so you can continue to receive important correspondence and your 1099-G.

## Weekly Certifications

Establishing your unemployment insurance claim does not start payments to you. You must maintain your eligibility and complete a weekly certification in order to continue receiving unemployment insurance benefits each week. Weekly certification is the process used to verify that you were unemployed during the week and are eligible to receive a benefit payment.

Simply answer a series of questions, online or by phone, to let Job Service know if you:

- Were able and available for work.
- Made job contacts (if required).
- Refused or missed work.
- Separated from employment.
- Worked during the week.
- Received pay.
- Were self-employed.

If you complete your certification online, you will find the link to certify under “My To-Do List” on the main menu of **UI ICE**. **Complete your weekly certifications in order and without skipping any weeks – even if you know you will not be eligible during any given week.** It is important to certify within the time frames outlined in this guide to avoid having to reopen your unemployment insurance claim for further benefits

### **Waiting Week**

Generally, the first week you file your claim (or a subsequent week depending on the requirements listed below) is your waiting week. Your waiting week is based on state law and gives Job Service North Dakota the opportunity to gather necessary information to help ensure the proper payment of benefits.

**You must still perform your weekly certification for your waiting week and meet all other eligibility requirements in order to be eligible for future benefits.** Your waiting week will be completed once you certify for a week in which you:

- Work less than full-time.
- Earn less than your weekly benefit amount.
- Meet all eligibility requirements for the week.

You will serve only one waiting week in your benefit year and **you will never receive benefits for your waiting week.** A week cannot be your waiting week if you are disqualified for any reason during that week.

### **Personal Identification Number (PIN)**

Use the Personal Identification Number (PIN) you established when you filed your initial claim to complete your weekly certification and to access certain other unemployment insurance services. If you don't have a PIN, call the Claims Center during business hours and select to transfer to speak with a claims center representative. The representative can give you a PIN to use with the online and phone systems.

**When to Certify:**

The calendar week for unemployment insurance purposes always starts on Sunday and ends on Saturday. Your certification generates your payment if you meet all other eligibility requirements, so be sure to follow these guidelines:

- Certify after the week has ended.
- Certify within 13 days of the Saturday of the week in which you started your claim, or within 13 days of the Saturday of the last week you previously certified.
- Certify by 10 p.m. on the 13<sup>th</sup> day.
- Consider certifying the same day each week to avoid missing the certification deadline.

The Weekly Certification Calendar below provides an example.

1. The claim was filed on Tuesday (9<sup>th</sup>).
2. The calendar week ends on Saturday (13<sup>th</sup>).
3. The soonest you can certify is Sunday (14<sup>th</sup>).
4. You must certify by 10 p.m. on the 13<sup>th</sup> day (Friday, 26<sup>th</sup>).

**Weekly Certification Example**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	<b># 1 Filed claim</b>	10	11	12	<b># 2 Calendar week ends</b>
<b># 3 Soonest you can certify</b>	15	16	17	18	19	20
21	22	23	24	25	<b># 4 13<sup>th</sup> Day. Certify by 10 p.m.</b>	27
28	29	30	31			

### **Important Notes about Certification**

- You cannot certify a week for another person, nor can anyone else certify for you.
- Choose “My To Do List” to get to the “Certify” link if you are certifying online.
- If you are eligible to certify two weeks, you will be given the option to certify the second week *after* you have completed the certification process for the first week.
- If you return to work for more than 3 weeks, stop certifying. To resume benefit payments, you will need to reopen your claim the week you are laid off again.
- The online and phone systems will prompt you to provide your earnings in the following categories:
  - Gross earnings received from employment with an employer(s).
  - Self-employment earnings (includes farming and commission earnings).
  - Vacation or bonus earnings (includes lump sum payout of accrued sick leave or annual leave, disability insurance benefits, incentive or piecework pay, or severance pay if required).
  - Holiday or sick leave earnings (earnings you receive if you continue to be employed and are receiving these earnings from your employer).
- If you return to temporary employment (1-3 weeks), continue to certify each week regardless of your earnings, making sure to report your earnings for the week.
- After your certification is complete, your information is immediately entered into our computer system. If you are eligible, your payment will be processed the following business day. If you certify on a weekend, your payment will be processed on Tuesday.
- Excess Earnings: You can earn up to 60 percent of your weekly benefit amount without affecting the weekly benefit you receive. Every dollar over 60 percent is deducted dollar for dollar, until you earn your weekly benefit amount. If you earn wages equal to or greater than your weekly benefit amount, no payments will be issued for the week. You must work all available hours.

## **Reporting Earnings**

You must report all of your earnings for the week when you perform your weekly certification. If in doubt about when to report earnings, you should report the earnings and then contact the Claims Center. This will help you avoid an overpayment of benefits, which you would be required to repay.

You must report **gross** earnings, not net earnings unless otherwise specified. Gross earnings are earnings prior to payroll deductions. To report your earnings, take the number of hours worked and multiply them by your hourly wage. Earnings should be reported in the week **earned**, not the week paid. There are some exceptions to this. Please see the following types of earnings.

## **When to Report Common Types of Earnings:**

### **Regular Pay**

Report regular pay in the week in which it was earned, even if you do not receive payment for the wages until a later date. Normal pay includes such pay as hourly, weekly, and monthly pay, shift differential, project differentials, tips and commissions.

### **Holiday Pay**

Report earnings in the week the holiday occurs.

### **Sick Leave Pay**

Report earnings in the week sick leave is taken; or report earnings in the week received (when received as a lump sum payout of accrued leave).

### **Vacation or Annual Leave Pay**

Report vacation or annual leave pay as outlined below:

- If you can identify the specific day(s) within a week that get paid vacation or annual leave pay, then report that amount for the week in which the day(s) or hours fell.
- If you were able to direct the employer to pay vacation or annual leave pay for a specific number of hours within a specific week, then report that amount for the week in which the day(s) or hours fell.
- If you cannot identify the day(s) or could not direct the employer to pay for a specific number of hours within a specific week, report the earnings for the week in which you actually receive payment.
- If you are receiving a lump sum payout of vacation or annual leave pay, report the earnings for the week in which you actually receive payment.

### **Bonus Pay**

Report bonus pay in the week received unless it is considered part of your regular pay. Bonus pay is pay that is in addition to your regular pay and may be in the form of a Christmas bonus, year-end bonus, early completion bonus, etc.

### **Severance Pay**

Report severance pay in the week it is received or as indicated in the non-monetary determination letter issued by Job Service. If you receive severance pay not previously reported to Job Service, contact a claims center representative.

### **Disability Insurance Benefits**

Report disability insurance benefits for the week in which the benefit payment was intended. You are required to report disability insurance benefits when your employer has paid the insurance premium for you. If the disability insurance benefit payment is not weekly, then it must be converted to a weekly amount. For example, if the payment is monthly, convert the number to a weekly amount by multiplying the monthly amount by three and dividing the resulting number by thirteen.

**Commissions**

Report the actual gross commissions earned for each week worked. If you are unable to establish the actual commission amount, report an estimate. Base your estimate on the minimum wage you designated with Job Service North Dakota as acceptable for work multiplied by the number of hours worked. If you report the value based on this calculation, send a copy of the check stub, or some other documentation, that will verify the actual amount when you receive it. Your records and benefit amounts will be adjusted accordingly.

**Income from Self-Employment**

Report your net income from self-employment in the week in which it is earned. If you are unable to establish the actual amount, report an estimate by multiplying the wage for which you are willing to accept work by the number of hours you actually worked in self-employment. The estimate should be based on the minimum wage you designated with Job Service North Dakota as acceptable for work multiplied by the number of hours you worked and must never be less than the federal minimum wage.

If you report the value based on this calculation, send a copy of the check stub or some other documentation that will verify the actual amount when you receive it. Your records and benefit amounts will be adjusted accordingly.

**Other Earnings:**

Earned or received income – Money, room, board, or other form of value.

Back pay – Considered wages for the weeks covered. Notify Job Service North Dakota that you are seeking or will be receiving back pay when you file your claim. If you received back wages for these weeks, you may have to repay all or some of the unemployment insurance benefits you received.

Farming or ranching income – Calculate your net income by multiplying the number of hours worked by the minimum wage you designated as acceptable for work.

Incentive or piecework pay – Report the week you receive payment.

**Access Unemployment Insurance Services:  
Online or by Phone**

You can file your claim, complete weekly certifications, change your PIN, update your tax information, change your payment option, and check the status of your claim online at [jobsnd.com](http://jobsnd.com) and by calling the automated phone system at 701-328-4995 (TTY: 800-366-6888).

Some unemployment services and activities can only be accessed online through the unemployment insurance system on jobsnd.com:

- Complete eligibility reviews
- Check your To-Do list
- Change your demographics
- Complete online fact-finding
- Complete online reemployment activities
- View correspondence



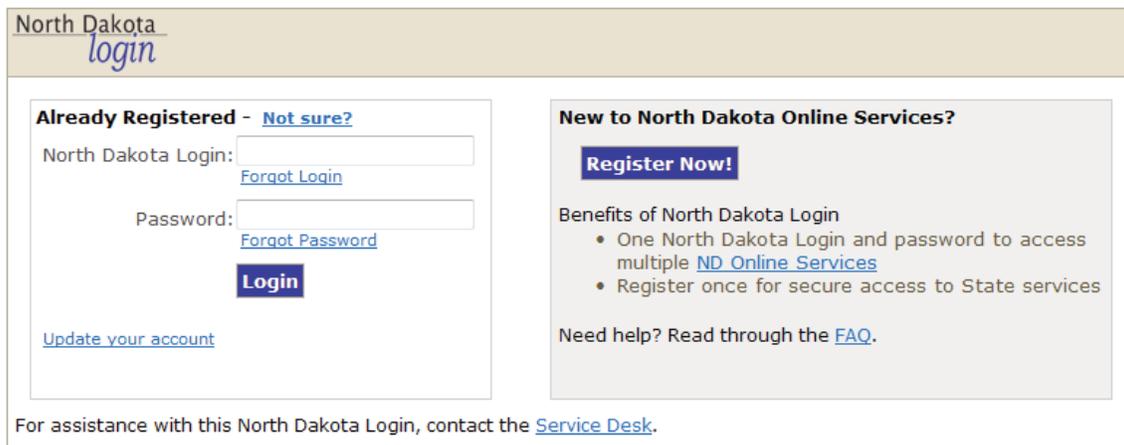
### System Availability

The unemployment insurance online and phone systems are unavailable from 10 p.m. to midnight (CT), Monday through Friday and periodically for system maintenance.

## Online Services

It's easy to use unemployment insurance online services when you follow the instructions below:

1. Go to jobsnd.com.
2. Click “Unemployment Benefits” which takes you to the “Unemployment for Individuals” page.
3. Learn more about different unemployment insurance topics, or log in to the secure Unemployment Insurance Internet Claims Entry system, **UI ICE**.
4. Click “Log into **UI ICE**” and you will arrive at the North Dakota Login screen.



5. Create a State of North Dakota Login ID. If you previously registered online for another state service such as buying a hunting or fishing license, you may already have a North Dakota Login ID. If so, enter your Login ID and Password. If not, click the “Register Now!” link, complete the login form, read the terms of use, and click “Create Account” at the bottom of the page.

6. Click the link to the login activation page included in your confirmation email; then enter your Login ID and Password to activate your account.
7. Enter your Social Security number and date of birth; then press submit.
8. You will arrive at the unemployment insurance online system main page where you can file or reopen a claim, check job openings, and view correspondence, determinations/appeals and current news.

You can also select **My To Do List** to see a calendar with items you need to complete including weekly certifications, eligibility reviews, fact finding questions, reemployment services and the like.

Under **My Claim Info**, you can view claim status information such as your benefit year end date and your balance, determinations and appeals information, wage history, the most recent certification/payment information, payment history, forms, resources and your personal 1099-G tax information. You can also change your demographics information, PIN, tax information and recent earnings.

When you choose **Payment Option**, you will be able to select debit card or direct deposit or change your banking information.

**E-Alerts** give you the option to receive emails and/or text messages to:

- Remind you of required due dates.
- Notify you of news items concerning unemployment and reemployment activities.
- Inform you when you have new notifications (monetary or non-monetary determinations, fact-finding letters, appeals letters, etc.) to view online.

Job Service will not mail notifications that you select to receive via E-Alerts.

If you file a claim or complete your weekly certification on the **UI ICE** system, you will be assigned a claim or certification number on the upper right-hand corner of the page. Please write the number down in a safe place and save it for your records.

### ***Internet Notifications and Required Follow-Up Actions***

The last page of the online application is your confirmation page. It will state that your claim or certification has been completed and will give you a confirmation number. Unless you receive a confirmation number, your claim or certification is not complete and will not be processed. Make sure to print a copy of the confirmation page.

The confirmation page may include a list of items you need to complete in order to receive benefits. It is important that you follow the instructions to avoid benefit payment delays or possible denial. Refer to your "To Do List" for a complete lists of tasks and their corresponding due dates.

### ***Leaving or Logging Out***

Be sure to “Log Out” from the online system when you are finished. You can return to the site and complete your activity during the same week you began the activity. If you close your browser or experience computer or Internet access problems that cause you to be disconnected, any data that has not been saved will be lost. Important: If you do not complete your activity prior to Saturday at 11:59 p.m. Central time in the week that you began your activity, your data will be lost.

### ***Timeouts***

You must press Save/Continue at least once every 30 minutes or you will be logged off the online system. You may be actively typing, but until you press the Save/Continue button, your session is considered inactive. If a timeout occurs and the system logs you off, the entries you made since your last save will be lost. The system will prompt you when your session is about to time out. Select OK to prevent the timeout action from happening.

### ***Navigation***

Do not use your browser’s “Back” button when navigating within the unemployment insurance online system. Your **UI ICE** connection and any unsaved data may be lost, and you could have to log in again. Navigate within the online system using the “Previous” and “Save/Continue” buttons available on each page.

## **Phone Services**

Call the automated phone system at 701-328-4995 (TTY: 800-366-6888) to file a claim, reopen an existing claim, complete your weekly certification, check the status of your claim, change your PIN, update your payment or tax information, make earnings changes or ask a question.

Job Service uses an Interactive Voice Response (IVR) system to help process phone calls. The system will prompt you to answer several identifying questions as well as questions regarding your eligibility for benefits. Listen carefully to the prompts you receive. Although almost any phone will work, rotary phones and speaker phones are not recommended. If you are using a cell phone, stay within an area with a strong signal and be aware that there are security concerns.

You can respond to the phone system questions by speaking your answers or by using the keypad of your touch-tone phone. The system is sensitive and may pick up background noises so make every effort to call from a location with little background noise.

If you are disconnected when filing your claim and call to complete your claim the same week, you will be asked if you wish to resume your claim. Say “yes” and the questions will resume where you left off. If you are disconnected during a certification, simply call again and repeat your information. **Do not hang up until you are told your claim or certification has been accepted.**

## **Basic Eligibility Requirements: Covered Employment and Unemployment**

You must meet the eligibility requirements set forth by the Unemployment Insurance Program in order to receive unemployment insurance benefits. These conditions help ensure that payments are only made to individuals eligible to receive benefits.

### ***Covered Employment***

You must have worked for a liable employer under the North Dakota Unemployment Insurance program. Not all employers are considered liable or covered employers. Liable employers are required to pay unemployment insurance taxes on the wages they pay out.

### ***Unemployed***

The definition of an unemployed week is a week during which an individual is substantially unemployed, and the gross wages earned during the week are less than the individual's weekly benefit amount. You may receive Unemployment Insurance benefits if you are working part-time and earn less than your weekly benefit amount.

## **Basic Eligibility Requirement: Available for Work**

You must be available for recall at the employer's request if you are returning to the employer that laid you off. If you are not returning to the employer that laid you off, and/or you are required to search for work and make job contacts, you must be immediately available to accept any work suitable to your training, experience, and capabilities.

Being available for work is an important part of receiving unemployment insurance benefits. You are not considered to be available for work – and therefore not eligible to receive benefits – if such things as lack of transportation or lack of child care prevent you from being able to take a job. You must also be willing to accept suitable employment for which you are qualified.

You are not eligible to receive benefits for any time you are out of the area on vacation or personal business, unless your time away is for job search reasons. If you plan to be out of the area for one to two weeks and draw unemployment insurance benefits once you return, continue to complete your weekly certifications, even for the week(s) you are gone. When certifying, answer "No" to the question about your availability. This will keep your claim open, but you will not receive benefits for the week(s) you are not available. If you plan to be out of the area for more than two weeks, stop certifying and reopen your claim when you return.

It is not necessary to call if you plan to be away from home on weekends or if you are available to immediately accept work.

## **Basic Eligibility Requirement: Able to Work**

You must be physically able to work at the time you file your unemployment insurance claim.

## **Basic Eligibility Requirement: Suitable Work**

Job Service North Dakota generally will not consider work to be suitable if:

- The work presents a degree of risk to your health, safety or morals.
- The work is not compatible with your prior training and experience.
- The work is outside your labor market area, unless opportunities for employment do not exist within your labor market area.
- The wages, hours, or other conditions of employment are substantially less than those common to the occupation in your labor market.
- The work is available because of a strike or labor dispute.

Note: The standard of suitable work changes if you have been receiving unemployment insurance benefit payments for 18 consecutive weeks. If wages offered by an employer offering work are equal to or greater than your weekly benefit amount, your refusal to accept work could cause you to become ineligible for benefits from that point forward.

## **Basic Eligibility Requirement: Job Contacts**

You must actively search for work if you are not returning to the employer who laid you off and/or if you are required to search for work and make job contacts. This is required for each week you wish to receive benefits-including your non-payable waiting week. Begin making your job contacts the same week that you apply for benefits. The purpose of a job contact is to become employed. The more job contacts you make the more likely you are to become re-employed.

You must make a minimum of four acceptable job contacts in each calendar week you certify to receive unemployment benefits.

Depending on the availability of jobs in your field and location, you may be required to make more job contacts. Job contacts are contacts you make with employers for positions you are willing to accept.

### **Acceptable methods to contact employers include:**

- In person (you must complete a job application or attempt to leave your resume with the employer),
- Mailing or emailing a resume or job application,
- Completing a job application online on the Internet, employer kiosk or
- Telephone (only if the employer allows this method to inquire about jobs).

All job contacts must be made in a manner allowed by the employer. Job Service verifies job contacts to ensure acceptable contacts are being made. Please note falsifying job contact information may result in the denial of benefits for the week the contact was reported in. If you received payment for the week you will be required to repay the amount to Job Service in addition to any applicable interest and penalties.

**Acceptable Job Contact Requirements:**

- Must be for work you are capable of performing and willing to accept if it is offered to them.
- Must be for work of the same duration as you worked during your base period.
  - If you worked fulltime during your base period you are required to be seeking fulltime work for it to be used as a job contact.
- You may list an employer up to a maximum of twice in the same week as long as each contact is for a different, identifiable, posted position.
  - You must provide the job order/reference number as part of the contact information if the contact information is requested by Job Service UI for verification.
  - You must complete and submit an application for the position.
  - A posted position job can only be applied for once.
- If you are contacting an employer to see if work is available when the employer does not have any positions posted you:
  - Can list the employer once in a given week.
  - Cannot have used the employer as a job contact in the previous two calendar weeks.
- If applying for work through a staffing service or temporary help firm, you must be able to provide the job order number in order to use it as a job contact.
  - The same staffing service / temporary help firm can be listed twice in the same week as long as each contact is for a different long-term position.
  - The job order number is required for the contact to be considered acceptable.

A record of the following information should be kept and provided to Job Service North Dakota if requested:

- Employer name
- Application method – in person/ website/etc.
- Job title
- Position requisition/job order number
- Contact date
- Person contacted
- Street address
- City, state, zip
- Phone number
- Website address if applicable

### What is NOT a valid Job Contact:

- Following up on a prior contact / application is not a job contact for UI purposes.
- An interview is not countable as a job contact.
- You do not know the identity of the employer.
- The in-person contact does not have hiring authority and you do not follow the employer's method for applying for the job.
- Phone job contacts can ONLY be used if the employer advertises to contact them by phone.
- The contact is made for the purpose of obtaining self-employment.
- Position applied for does not exist.
- Signing up with a recruiter.

## Returning to Work

If you are offered a job, the start date is within four weeks and you wish to be excused from making further job contacts, you must submit a letter or e-mail from your new employer or a copy of the letter of offer. The letter/e-mail must include your name, the name and address of the employer, the position title, the hours to be worked, and your start date. After Job Service receives the letter, a decision will be made as to whether or not you need to continue making job contacts. **Continue to make your job contacts and complete any eligibility review or reemployment activities until Job Service notifies you to stop.**

You may still be able to receive benefits until you begin your new job, even if you are offered a position but will not begin immediately. Depending upon the day of the week that you start your new job, you may also be eligible to receive benefits for the week that you return to work. When you complete your certification, you need to report all of your gross income for the week.

## Basic Eligibility Requirement: Resume

You must register for work by completing at least one online resume at jobsnd.com within 10 days of filing or reopening your claim if you are not returning to the employer that laid you off, and/or you are required to search for work and make job contacts. Failure to have an active resume online will result in a stop on your claim and may result in a loss of benefits. Job Service will consider your reasons and determine whether or not you have good cause for not completing your resume within the designated time frame.

You must complete a resume at jobsnd.com if you live in North Dakota or normally commute to work in North Dakota. Your resume must reflect the type of work that you most recently completed, be accessible to employers and include your name, contact information and employment history. If you live in another state and do not normally commute to work in North Dakota, you must register for employment at the nearest public employment office in your state of residence.

Be sure to highlight your skills, education, and employment background to draw the attention of employers. Visit a Job Service North Dakota office (see inside back cover for locations) for resume-writing assistance.

### To Post a Resume

1. Go to [jobsnd.com](http://jobsnd.com) and click on the “Find a Job” link.
2. You will arrive at the online job search login page. Log in with your existing username and password (if you previously registered), or create a new username and password by clicking the “Not Registered?” link. (Go to step 3.)



*Please note: The username and password for the online job search tool may be different than the User ID and password you use to file your claim and complete certifications on the unemployment insurance online system.*

*Contact your local Job Service office if you do not remember your job search username or password or if you need assistance completing your online resume.*

3. For access to all our online services click the “Individual” link in Option 3 - Create User Account, and enter the required information in the registration fields. You must include your Social Security number when completing your resume to avoid having a stop placed on your claim.
4. You are now ready to create your resume. Simply click the “Create New Resume” link and follow the prompts. Your resume will remain active in the system for 90 days. If your resume is in the system for more than 90 days, you must update it in order to meet the registration requirements.

**Option 3 - Create a User Account**

To become a ND Workforce Connection user with access to our online services, select one of the following account types. If you are not sure about registering, visit the [Why Register?](#) page.

**Individual** - Register as this account type if you are an individual and wish to search for the latest job openings, post a resumé online, find career guidance, search for training and education programs, find information on local employers, etc.

**Employer** - Register as this account type if you represent an employer and wish to post job openings online, search for candidates for your jobs, view local industry or labor market information, etc.

Not having an active resume may result in loss of benefits. If you reopen your claim, check your resume to ensure that it is accessible to employers.

The screenshot shows a user interface for managing resumes. At the top, there are navigation links for "[ My Portfolio ]", "My Individual Profiles", and "My Individual Plans". Below these are five tabs: "Resumés", "Job Applications", "Online Application", "Virtual Recruiter", and "Employment Goals". The "Resumés" tab is selected. The main content area contains a message: "Select an option from the pulldown below to show either your active, expired, partially completed or deleted resumés or all resumés regardless of their status:". Below this is a dropdown menu currently set to "View active resumés". A note states: "Note: Resumés that have not been modified in over 90 days are set to Expired and are not displayed to employers. Click the Reactivate All Expired Resumés link to update all your resumés to today's date." Below the note, it says "0 Records Found". At the bottom, there are links for "[ Tips on preparing your resumé | Reactivate All Expired Resumés | Cover Letter ]" and a "Create new Resumé" button.

## Basic Eligibility Requirement: Eligibility Reviews

If you are not returning to the employer that laid you off and/or if you are required to search for work and make job contacts, you will be required to complete monthly eligibility reviews. You will be notified when each eligibility review is due.

## Basic Eligibility Requirement: Reemployment Services

Job Service may require you to complete online reemployment services. If you are selected for these services, you will receive a notification letter that outlines the date the first reemployment service is due. Reemployment services can be completed any time prior to, *but not later than*, the assigned due dates. The sooner you complete your services, the better prepared you will be for your job search.

Reemployment services may include such activities as reading and reviewing employment-related information, attending workshops, or meeting with a case manager.

You can view your required reemployment services and due dates on your “My To-Do List” calendar on the online system. To complete an online reemployment service, simply click the service and follow the instructions on your Reemployment Services Schedule page.

## Sample “My To-Do List” Calendar

Sun	Mon	Tue	Wed	Thu	Fri	Sat
27	28	29	30	1	2	3
4	5	6 Make a Minimum of 4 Job Contacts this week	7	8	9	10
11 Certify	12	13 Make a Minimum of 4 Job Contacts this week	14	15	16 Create/Update Resume	17 Eligibility Review Reemployment Information due
18	19	20 Make a Minimum of 4 Job Contacts this week	21	22	23	24 Coping with Job Loss due
25	26	27 Make a Minimum of 4 Job Contacts this week	28	29	30	31 Cover Letters and Resumes due

*Coping with Job Loss* – This is one of the reemployment articles you will be required to read if you are assigned reemployment services. Losing a job is a difficult experience. You will start the activity by clicking on the Coping With Job Loss link on your To Do List calendar. Next you will be routed to the reemployment services page to read the article and answer some questions.

*Case Manager* – You may be selected to work with case manager(s) who will work with you in your efforts to become reemployed. Job Service will notify you and provide instructions if you are selected for this service.

### **Employment Assistance**

Job Service North Dakota professionals are available in your nearest Job Service Customer Service office to assist you in finding employment. These staff members can show you how to find information about job opportunities in your area and give you information about your skills and abilities and how they fit into your local labor market.

## Disqualifications

You may have an issue placed on your claim and be disqualified from receiving unemployment insurance benefits for the following reasons:

### **Voluntary Quit**

You may be disqualified from receiving unemployment insurance benefits if you quit work without good cause attributable to your employer. You will be ineligible for benefits until you return to work with another insured employer and earn eight times your weekly benefit amount.

**Misconduct**

You may be disqualified from receiving benefits if you are fired for misconduct connected with your work. You will be ineligible for benefits until you return to work with another insured employer and earn wages equal to or greater than ten times your weekly benefit amount. Grounds for being disqualified for misconduct include, but are not limited to: (a) the violation of a posted or known company rule, (b) insubordination, (c) theft, (d) destruction of company property, and (e) unexcused absences.

The law also provides that if you are discharged because of gross misconduct, you will be disqualified from receiving any benefits for a period of one year.

**Labor Dispute**

You may be disqualified from receiving benefits if your unemployment is related to a labor dispute. There are exceptions to this law so you should always apply for benefits to allow Job Service to make a formal decision on your eligibility.

**Failure to Report, Failure to Respond to Requests for Information or Failure to Properly Claim Benefits**

You may be denied benefit payments if you fail to report to a Job Service office as directed or if you fail to properly claim benefits. In addition, you may be denied payments if you fail to respond, without good cause, to requests for information by the requested due date.

**Alien Status**

You cannot receive unemployment insurance benefits if you are not a United States citizen or are not legally authorized to work in the U.S.

**Not Available or Not Actively Looking for Work**

You will be denied benefits for each week in which you are not available for work or are not actively seeking work. Your eligibility is determined week by week. You must actively search for work each week that you complete a weekly certification – including your waiting week. Begin your search the same week you apply for benefits.

**Failure to Complete Reemployment Activities**

Federal law requires Job Service North Dakota to identify individuals who are most likely to use all their unemployment insurance benefits and provide intensive reemployment services to them. These services may include testing, counseling, job search assistance activities, working with a case manager, and training. Job Service will notify you if you have been selected to participate in reemployment activities. Failure to participate may result in disqualification of benefits.

### **Refusal to Work**

You will be disqualified from receiving benefits if you fail to accept suitable work offered to you or if you fail to apply for a job when directed to do so. You will be disqualified until you have obtained subsequent employment and earn wages equal to or greater than ten times your current weekly benefit amount.

### **School/Training**

In general, you will be disqualified from receiving benefits if you are attending school or participating in a training program. In limited situations, however, Job Service North Dakota can approve unemployment insurance benefits for individuals attending full-time school or an approved training program.

In order to approve benefits while in training, the *Request for Benefits While in Training* form in the back of this guide must be submitted. Review the form and if you feel that you meet the requirements, work with a representative in a Job Service customer service office to complete the request. Adjudication staff will review your request and determine if you are eligible for benefits while in training.

## **Determinations**

Job Service North Dakota determinations are official decisions regarding your eligibility for unemployment insurance. Determinations fall into two categories: monetary and non-monetary.

### **Monetary Determinations**

Job Service will mail you a monetary determination letter after you apply for unemployment insurance. Your monetary determination outlines:

- Whether or not you are “monetarily eligible” (earned the appropriate wages during your base period to be eligible for benefits).
- The wages your employer(s) reported for you during your base period
- Your weekly benefit amount.
- The maximum benefit amount you are eligible to receive.
- Wages earned in another state, if applicable.

Your monetary determination should arrive within approximately five days from the date you filed your claim.

You can appeal your monetary determination decision in writing if you feel it is incorrect. The appeal instructions are included on the second page of your monetary determination. Please provide proof of earnings, such as paycheck stubs or W-2 tax forms with your appeal. If your claim includes military wages, federal civilian wages or wages earned in another state, you will receive a separate monetary determination letter when these wages are received.

### ***Non-Monetary Determinations***

Throughout the duration of your claim, you may receive non-monetary determination letters. The non-monetary determination letter(s) will state whether or not unemployment insurance benefits will be allowed or denied on your claim. Even if you may have earned sufficient wages in your base period to qualify for unemployment insurance, you can be disqualified for other non-monetary reasons.

## **Appealing a Determination**

You have the right to appeal a determination made on your claim if you believe the law was applied incorrectly or all the facts were not considered.

Your appeal rights and time limits are explained in each determination you receive from Job Service North Dakota. **You must file your appeal within the time limit specified on the determination or you may lose your right to appeal.** You may file your appeal using the unemployment insurance online system, **UI ICE**, or complete and return the appeal form included with your determination.

Your appeal must be postmarked or received on or before the appeal period date specified on your determination. Contact the Appeals unit if you have questions about filing an appeal.

Job Service North Dakota provides two levels of appeal: first-level appeals and the bureau review. The next level of appeal after the bureau review is the district court.

**Important:** If you were denied benefits and have appealed the determination or decision, you must continue to certify your weekly eligibility and meet all other eligibility requirements while your appeal is pending. If the appeal decision is in your favor and you have met all other eligibility requirements, benefits will be paid for weeks you certified. No benefits will be paid for any weeks for which you did not certify in a timely manner.

### ***First-Level Appeals – Hearing Procedure***

Once you file your appeal it is sent for assignment to an appeals referee and for scheduling. When it is scheduled you will be sent a **Notice of Hearing** stating the date and time of the hearing. The notice includes other important information to help you with your appeal.

You may choose to have an attorney represent you. You are responsible for making your own arrangements if you elect to have an attorney represent you. Job Service does not provide attorneys or legal advice to any parties involved in a hearing. Notify the Appeals unit as soon as possible if you will be represented by an attorney to ensure they receive proper notification and any exhibits that will be used during the hearing.

Hearings are conducted primarily by telephone conference call. In certain limited cases, a hearing may be conducted in person if the referee determines one of the parties would not be able to properly present their case in a telephone hearing.

Please note that the referee hearing your case will determine if the circumstances of the case are such that an in-person hearing is required.

Participants in a telephone hearing will be instructed to call the Appeals Section any time before 3:00 p.m. CDT the work day before the date of the hearing. A toll-free telephone number to be used for this call is listed on your notice of hearing. Be prepared to give the telephone number where you can be reached and to give the name(s) and telephone number(s) of the witnesses who will testify on your behalf. The appeals referee will call all participants and conference these parties in for the hearing.

If you are scheduled for an in-person hearing, arrive at the hearing location no later than ten minutes prior to the hearing start time. The hearing location will be stated in your Notice of Hearing.

It is very important that you participate in the hearing as it is your opportunity to provide testimony in support of your position. The decision issued by the referee will be based primarily on testimony provided at the hearing. If you call or arrive late for your hearing, you may not be allowed to participate.

During the hearing, testimony will be taken under oath from all parties who are present. The referee will make every effort to help you present your case. You may also have witnesses testify on your behalf.

You will receive a written decision within seven to ten days of the hearing. Additional appeal rights and the time line to submit an appeal to the next level will be provided in the decision cover letter in the event you disagree with the referee's decision.

### ***Bureau Review – Procedure***

If you disagree with the decision of the appeal referee, you may request a bureau review. As with the first-level appeal, there are time limits for filing your request for bureau review. The deadline for filing your bureau review request is specified on the cover letter of the appeal referee's decision. The bureau review is a review of the first-level appeal decision and does not include a new hearing.

The bureau may elect to issue an Order Denying Review in cases where the first-level appeal affirms the original determination issued by the benefits section.

Once the bureau has reviewed your request, you will receive a written decision from the bureau or an Order Denying Review. You will need the decision or order if you choose to continue with judicial review of the determination.

Additional appeal information is available online at [jobsnd.com](http://jobsnd.com).

## **Benefit Payments: Debit Card or Direct Deposit**

The default payment option for unemployment insurance benefits is a Way2Go Debit Card Mastercard.

Unless you select to receive benefit payments by direct deposit, you will receive your debit card in a plain white envelope with an Austin, TX return address. Your card enrollment is created after you certify for your first payable week. It takes several days to create and mail your card. Activate your card by calling the Way2Go Card Customer Service at 1-844-893-3119. You will be asked to enter your card number, social security number and your date of birth. You will also be asked to create a 4-digit Personal Identification Number (PIN). For security reasons, this PIN should not be the same as your unemployment insurance PIN.

TheWay2Go Debit Card can be used anywhere Mastercard debit cards are accepted. You can make purchases or withdraw money without fees from MoneyPass Automated Teller Machines (ATMs) or from any teller at any Mastercard member bank or financial institution. You can also view your account balance and transaction history online, by phone, email, text, or mobile application. Look at your mailed card packet for more information. You will receive a new card each benefit year; however, the money already deposited on previous cards will remain on the old card and can be used until the card expiration date.

You can check the balance on your debit card for no charge at [www.goprogram.com](http://www.goprogram.com), by calling 1-844-893-3119 or at a MoneyPass ATM. Contact the Way2Go Card Customer Service at 1-844-893-3119 if you lose your card or have questions about card transactions.

You have the option to receive benefit payments by direct deposit. This can be done by phone or online. When choosing to have your payments sent to your checking or savings account, you will need to provide your routing and account numbers. To choose direct deposit by phone, select the “Change Payment Option” on the main menu and follow the prompts. To choose direct deposit online, select the “Payment Options” tab on the main menu and enter your financial information. The online and phone options are secure and your financial information is encrypted.

Job Service will deposit benefit payments to your Way2Go Debit Card or direct deposit account within 2 to 3 business days\* after you complete your weekly certification and are found eligible for payment. It's easy to change your payment option and to update banking information. Simply go to the phone or online system again and make your changes. The changes will be in effect the next time you receive a payment.

*\*Payment will be delayed if there is a holiday between the time you certify and the time you normally receive payment.*

## **Deductions from Weekly Benefit Payments**

Deductions may be made to your weekly benefit amount in some cases. Potential deductions include:

### **Child Support**

Federal law may require Job Service to make deductions from your unemployment insurance payments to satisfy your child support obligation.

Job Service North Dakota, acting under court order, cannot modify or change a withholding

order.

Contact the child support agency responsible for enforcing the obligation if a question concerning child support withholding arises. Once established, the child support withholding amount will remain in effect until it is changed or cancelled by the child support agency.

### **Pensions**

Pension, retirement, annuity, or other similar periodic payments will reduce your weekly benefit payments if employers in your “base period” contributed to or maintained the pension plan. Pensions that may reduce your payment can include private employer and union pensions, state and local government pensions, federal civil service pensions (including disability pensions), military retirement pensions (non-disability and disability), and railroad retirement annuities. Nondeductible pensions include Social Security pensions and pensions based on the extent of disability or injury rather than length of service, such as, Veterans Administration service-connected disability compensation.

It is your responsibility to keep Job Service North Dakota informed of any changes in your retirement amount. Please notify us immediately when you receive a notice of benefit change from your pension source. Failure to do so may result in a substantial overpayment or underpayment of your unemployment insurance benefits.

## **Tax on Unemployment Insurance Benefits**

Unemployment insurance benefits are fully taxable; however, income tax is not withheld from your unemployment insurance benefits unless you request withholding. Job Service North Dakota will withhold ten (10) percent of your gross amount for taxes if you request that federal taxes be withheld. Job Service can also withhold North Dakota state tax at a rate of two (2) percent of your gross amount, at your request.

You can change your tax withholding information online or by phone. Changes made will take effect for payments made after the date of your change request. Job Service North Dakota notifies the IRS of the amount of unemployment insurance benefits paid and taxes withheld at the end of each year. By January 31<sup>st</sup> of each year, Job Service North Dakota will mail a 1099-G statement to your last known address.

Notify Job Service of any address change, even if you are no longer claiming benefits. A copy of your 1099-G statement can be viewed and printed online. Simply choose the “Claim Info” tab on the main menu and select 1099-G.

## **Misrepresentation or Fraud**

You will be disqualified from benefits, assessed at a 15 percent penalty and subject to criminal prosecution if we determine you made false statements, failed to report material facts or failed to report earnings in an attempt to collect unemployment insurance benefits. The disqualification period for misrepresentation or fraud is on year inability to draw

unemployment insurance benefits from point of the fraud determination. In addition, if the misrepresentation or fraud results in an overpayment of unemployment insurance benefits, you will be assessed a 15 percent penalty of the total overpayment and be required to pay back principal, interest, court costs, and penalty assessed. It is of utmost importance that you provide accurate and complete information to Job Service North Dakota.

## **Audits of Your Claim**

Job Service North Dakota takes proactive steps to identify claimants who receive unemployment insurance benefits through false statements or the withholding of information. These steps include:

- Random quality control audits
- Internal audits of claim records
- Verification of return to work certifications
- Verification of earnings or job contacts
- Investigation of tips and leads from outside sources

Job Service will actively seek prosecution in cases where benefits were received fraudulently or by misrepresentation.

## **Benefit Overpayments**

If you receive unemployment insurance benefits you are not entitled to, you have been overpaid. Some of the most frequent reasons for overpayment are:

- Failure to report your gross earnings correctly
- Disqualification – Being paid benefits and later being disqualified because eligibility requirements were not met
- Back pay – Being reinstated to a job, with pay, after a grievance hearing
- Misrepresentation – Deliberately failing to report all earnings from work while claiming unemployment insurance benefits.

Since the disqualification for misrepresentation may be imposed for up to two years or involve criminal prosecution, it is important that you give accurate information to Job Service North Dakota when requested.

## **Repayment of Overpaid Benefits**

You must repay unemployment insurance benefits that Job Service later determines you were not entitled to receive. The overpayment may be repaid by lump sum payment or installment payments. Interest of 1.5 percent per month may be applied to overpayment balances. You may be released from liability if Job Service finds the repayment to be contrary to equity and good conscience. Call 701-328-2825 (TTY: 800-366-6888) to begin the waiver of overpayment process.





**ES-935 CLAIMANT'S AFFIDAVIT OF FEDERAL CIVILIAN SERVICE  
WAGES AND REASON FOR SEPARATION – UCFE**  
JSND/UI BENEFITS AREA  
SFN59872 (05/11)

State Agency: Job Service North Dakota		Local Office: Central		Contact Telephone Number: (701)328.4995			
Name (First, M, Last Name)		Social Security Number		Birthdate			
				<b>For Internal Use Only</b> Type of Claim <input type="checkbox"/> New <input type="checkbox"/> Additional Date Filed Effective Date			
Employer (Federal Agency Name)			3-Digit Code (from the SF8)		Dates of Employment From: To:		
Place of Employment: Address (per the SF8)		City					
State		ZIP Code					
Gross Wages Received From the Above Agency (last 6 months with agency, BASE and LAG Period)				Documentary Evidence (Submitted by the claimant showing Federal Civilian Employment)  <b>MAIL CLAIMANTS</b> -Send in with this form and copies of documentation you have showing that you worked for the listed federal agency. This includes SF-50, W-2 forms, pay stubs, leave and earnings statements, payroll change slips or other creditable evidence of wages and reason for separation. These copies become part of your official record. Please <b>DO NOT</b> send originals unless absolutely necessary; originals will be returned to you.			
QUARTER ENDING		GROSS WAGES				HOURS WORKED	WEEKS WORKED
		\$					
		\$					
		\$					
		\$					
Total		0		0			
Lump Sum Payments Received for Annual Leave							
Amount of Payment		Date of Payment		Amount of Leave			
				Effective Period of Annual Leave			
\$				From To			
\$				From To			
Severance Pay—Did you receive or are you entitled to receive severance pay provided by any federal law or agency-employee agreement? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, complete the following information:							
Weekly Amount		Number of Weeks		Total Entitlement \$			
				Severance Pay Period			
				From: To:			
Pension: Are you entitled to receive a pension from any branch of the Federal Government? <input type="checkbox"/> Yes <input type="checkbox"/> No							
If yes, enter the gross monthly pension \$							
Reason for Separation:							
I, the claimant, understand: 1) That penalties are provided by law for an individual making false statements to obtain benefits; 2) That any determination based on this affidavit is not final; 3) That it is subject to correction upon receipt of wage and separation information from the federal agency for which I worked; 4) That benefit payments made as a result of such determination may have to be adjusted on the basis of information furnished by the federal agency; 5) That any amount overpaid may have to be repaid or offset against future benefits. <b>I, THE CLAIMANT, SWEAR OR AFFIRM THAT THE ABOVE STATEMENTS, TO THE BEST OF MY KNOWLEDGE OR BELIEF, ARE TRUE AND CORRECT.</b>							
Signature				Date			





You must actively seek employment during the period you collect Unemployment Insurance (UI) benefits. After you file your UI claim, keep a record of the job contacts you make using this form. You may be asked to produce this record at any time.

Contact Date	Employer Name, Address, and Telephone Number	How Contacted	Person Contacted or Website	Position Applied For	Job Order Number	Application or Resume Submitted?
		<input type="checkbox"/> In Person <input type="checkbox"/> Telephone <input type="checkbox"/> Mail/Fax <input type="checkbox"/> Internet				<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> In Person <input type="checkbox"/> Telephone <input type="checkbox"/> Mail/Fax <input type="checkbox"/> Internet				<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> In Person <input type="checkbox"/> Telephone <input type="checkbox"/> Mail/Fax <input type="checkbox"/> Internet				<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> In Person <input type="checkbox"/> Telephone <input type="checkbox"/> Mail/Fax <input type="checkbox"/> Internet				<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> In Person <input type="checkbox"/> Telephone <input type="checkbox"/> Mail/Fax <input type="checkbox"/> Internet				<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> In Person <input type="checkbox"/> Telephone <input type="checkbox"/> Mail/Fax <input type="checkbox"/> Internet				<input type="checkbox"/> Yes <input type="checkbox"/> No

\*In compliance with the Privacy Act of 1974, a Social Security Number is mandatory on this form pursuant to 20 CFR 666.150 and/or North Dakota Century Code 52-02-02. This number is used by Job Service North Dakota for identification, federal and state tax program eligibility purposes, and program performance accountability.

Job Service North Dakota is an equal opportunity employer/program provider.  
 Auxiliary aids and services are available upon request to individuals with disabilities.



# REQUEST FOR BENEFITS WHILE IN TRAINING

SFN 41227 (R. 09-17)

*Unemployment Insurance Claims Center  
PO Box 5507 Bismarck, ND 58506-5507  
800-366-6888 (TTY) • 701-328-2728 (Fax)*

In limited situations, Job Service North Dakota can approve the receipt of unemployment insurance benefits for claimants attending school or an approved training program. North Dakota Century Code allows for the payment of benefits and provides specific instructions as to the approval process.

If you have been denied unemployment insurance benefits as a result of your attendance in a school or training program, you may be eligible to receive benefits, but only AFTER you have been approved to receive benefits while in training by Job Service North Dakota. In order to have your training approved, you must have this form completed and return it to the Unemployment Insurance Claims Center in Bismarck, North Dakota.

Section A should be completed by you and Section B must be completed by your local Job Service North Dakota office.

Before requesting benefits while in training, please note that there are strict guidelines associated with approval. North Dakota Administrative Code 27-03-08-04, Approval of training or retraining programs; provides the necessary guidance for approval. In order to be approved for benefits while in training, ALL of the following requirements must be met:

1. No reasonable or suitable jobs are available in your area. Your training, experience, and physical capabilities are reviewed in determining where reasonable and suitable work opportunities exist for you.
2. The training course must be designed to prepare you for you available employment. The training must be in a field that fits your abilities.
3. The training must be conducted by an agency, educational institution, or employing unit which has been approved by Job Service North Dakota. NOTE: A list of eligible training providers in North Dakota is provided on jobsnd.com.
4. The training must be vocational in nature or short term academic training vocationally directed to an occupation or skill for which there are, or are expected to be, reasonable work opportunities available to you.

After reviewing the requirements listed above, and you feel that you meet the eligibility requirements for receiving benefits while in training, complete this form and return it to:

Job Service North Dakota  
Unemployment Insurance Claims Center  
PO Box 5507  
Bismarck, ND 58506-5507  
-Or-  
Fax to 701-328-2728

Job Service North Dakota unemployment insurance staff will review the information you provide and provide you with a determination of eligibility.

<b>SECTION A - TO BE COMPLETED BY THE CLAIMANT</b>		
Last Name	First Name	Middle Initial
Social Security Number	Customer Service Office	
Prior Education / Training		
Physical / Medical Restrictions		
Reason for Career Change / Enhancement		
<b>Claimant's Prior Work Experience</b> - Indicate Claimant's relevant past work history		
Job 1 (Job Title)	Job 2 (Job Title)	
Duties	Duties	
Rate of Pay	Rate of Pay	
Years of Experience	Years of Experience	
Proposed Training Facility	Course of Study	
Length of Course	Date Classes First Started	Date All Classes Completed (Graduation Date)
How will training prepare you for future employment?		
Type of work expected	Rate of pay expected	Are you willing to relocate after training, if necessary? YES NO
Claimant Signature	Date	
<b>SECTION B - TO BE COMPLETED BY THE LOCAL WORKFORCE AGENCY</b>		
Is the claimant enrolled in and attending training under the Workforce Innovation and Opportunity Act (WIOA) YES NO	Are similar or suitable jobs available in the claimants area utilizing their current training, experience and physical capabilities? (If yes, list the job opportunities below) YES NO	
<b>Similar Employment Opportunities</b> - If similar and suitable jobs are available, list the suitable jobs available for the claimant		
Job 1 (Job Title)	Job 2 (Job Title)	
Duties	Duties	
Rate of Pay	Rate of Pay	
Demand for new skills (list employment possibilities)		
Customer Service Representative Signature	Date	

\*In compliance with the Privacy Act of 1974, a Social Security Number is mandatory on this form pursuant to 20 CFR 666.150 and/or North Dakota Century Code 52-02-02. This number is used by Job Service North Dakota for identification, federal and state tax program eligibility purposes, and program performance accountability

Job Service North Dakota is an equal opportunity employer/program provider.  
Auxiliary aids and services are available upon request to individuals with disabilities.





**MEDICAL STATEMENT**  
 JSND/UNEMPLOYMENT INSURANCE  
 SFN 41254 (R. 10-11)

Name	Social Security Number*
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**TO THE PHYSICIAN:**

As the examining physician of the above named individual, we appreciate your certification of your findings by answering the following questions:

1. Nature of medical condition, illness or disability (lay terms).		
2. Date medical condition, illness or disability occurred		
3. Patient under my care		
From	To	
4. Date last examined		
5. Did you advise the patient to quit their employment or remain away from their employment because of the above medical condition? If advised to remain away from employment, for what period of time? Start -                      Until -	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6. Has the patient been unable to work at any time due to the above medical condition? If yes, give dates:                      From                      To	<input type="checkbox"/> Yes	<input type="checkbox"/> No
7. Has the patient been released to resume employment? If yes, on what date?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
8. If patient must now restrict the type of work, days or hours per week of employment, or place of work, please explain the limitation(s).		

Name of Physician	<p align="center"><b>CLAIMANT'S RELEASE</b></p> <p>I herewith consent to the release of the above information to Job Service North Dakota with the understanding that it is for the confidential use of that agency in determining my eligibility for unemployment insurance benefits.</p>
Name of Facility	
City, State, Zip	
Phone Number	
Physician's Signature	Claimant's Signature
Date	Date

Mail to:  
**UNEMPLOYMENT INSURANCE/CLAIMS CENTER**  
**PO BOX 5507**  
**BISMARCK, ND 58506-5507**

Fax to:  
**701-328-2728**

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 TTY (Relay North Dakota) 1-800-366-6888 (TTY for hearing impaired only).



## Glossary of Unemployment Insurance-Related Terms

<b>Appeal</b>	A formal claimant or employer request to have a decision, determination, or notice reconsidered by the next higher level of authority.
<b>Base Period</b>	The first four of the last five completed calendar quarters immediately preceding the quarter in which you file your claim.
<b>Benefit Year</b>	The 52-week period beginning the first week in which you file an unemployment insurance claim.
<b>Benefit Year End (BYE)</b>	The claim-ending date.
<b>Bonus Pay</b>	Pay you receive in addition to regular pay.
<b>Certification</b>	The process used to verify that you were unemployed during the week and are eligible to receive a benefit payment; also known as Weekly Certification.
<b>Claim Week</b>	A period of seven consecutive days beginning at midnight Sunday and ending at 11:59 p.m. the following Saturday night.
<b>Combined Wage Claim</b>	A claim established using wages from North Dakota and other states.
<b>Covered Wages</b>	Wages paid to an employee by an employer who is required to pay unemployment insurance taxes.
<b>Duration</b>	The length of time you are eligible to receive benefits within a benefit year. The duration is calculated based upon wages you earn during each quarter of the base period.
<b>Eligibility Review</b>	A periodic review to determine your eligibility to receive unemployment insurance benefits.
<b>Excess Earnings</b>	Gross earnings that equal or exceed your weekly benefit amount.
<b>Issue</b>	An act, circumstance or condition which may prevent you from being eligible for benefits.
<b>Judicial Review</b>	A court review of a decision rendered at the bureau review level.

<b>Liable Employer</b>	An employer that is required to pay unemployment insurance taxes on employee wages.
<b>Maximum Benefit Amount (MBA)</b>	The maximum total dollar amount of benefits you are eligible to receive within the benefit year.
<b>Misconduct</b>	Conduct showing a willful or wanton disregard of employer's interests.
<b>Monetary Determination</b>	A written notice of eligibility for benefits based on covered wages you earned in the base period. It also reflects your claim's maximum benefit amount, duration, weekly benefit amount, effective date and benefit year-ending date.
<b>Monetary Eligibility</b>	Eligibility for benefits based on wages you earned in the base period. The maximum and minimum benefit amounts are determined by law and are subject to change each year.
<b>Non-Monetary Determination</b>	A written notice of eligibility based on an issue decision which is not related to wages.
<b>Notice of Claim</b>	The notice an employer receives advising that a claim has been filed. The notice also asks the employer for details regarding your separation from employment.
<b>Reemployment Services Schedule</b>	A list that outlines the reemployment services you must complete and the time in which you must complete them.
<b>Reopened Claim</b>	A continuation of a claim where a break in filing has occurred and a balance remains on the claim.
<b>Separation</b>	A voluntary (initiated by the employee) or involuntary (initiated by the employer) leave from employment.
<b>UCFE Claim</b>	Unemployment Compensation for Federal Employees (UCFE) Claim; A claim in which some or all of your base period wages were earned in federal civilian employment.
<b>UCX Claim</b>	Unemployment Compensation for Ex-Service members (UCX); A claim in which some or all of your base period wages were earned through military employment.
<b>Voluntary Quit</b>	Termination of employment initiated by an employee.
<b>Weekly Benefit Amount</b>	The dollar amount you are eligible to receive during a claim week.

# DISCRIMINATION IS AGAINST THE LAW!

Federal laws protect you, and other people, from discrimination by some or all of the programs of the business, organization, or office where you are reading this poster. The civil Rights Center (known as "CRC"), in the US Department of Labor, is in charge of overseeing many of these laws. It does not matter if you are a customer wanting or needing services; an employee of the business organization, or office; a person applying for a job;

Or a member of the general public. If you have contact with a program that is covered by one of the laws, the program cannot discriminate against you. CRC has designed this poster to explain:

- What your rights are, and
- Where you can file a complaint if you believe the law has been violated.

## These types of discrimination are against the law

A program that is covered by one of the laws mentioned at the top of this poster is not allowed to discriminate on any of the following bases (types of discrimination):

For customers, applicants, employees, and the general public:

Race	Color	National origin	Religion
Sex	Age	Disability	Political affiliation or belief

For customers only:

- Citizenship or status to work legally in the US
- Being part of any program that gets a specific type of "financial assistance" from the Federal government under a specific law (Workforce Innovation and Opportunity Act).

## How can I file a discrimination complaint?

If you think:

- A program of this business, organization, or office has discriminated against you, or against any specific group of people, and
- The type of discrimination you think happened is on the list you will find elsewhere on this poster, then you have the right to file a discrimination complaint.

Is there a time limit for filing a complaint? Yes. You must file a discrimination complaint within 180 days of the day on which the discrimination took place. The only person who can let you file your complaint late is the Director of the Civil Rights Center (CRC), in Washington DC. If you want to file a complaint more than 180 days after the discrimination, you must write to the CRC Director, explain why you should be allowed to file your complaint late, and ask for permission. Look for the address for CRC on this poster.

## What should the complaint include?

The complaint must be filed in writing. It should include this information:

- Your name
- Your address
- Your signature
- The name and address of the program, business, organization, or office you think discriminated against you or against a specific group of people.
- The date when you think the discrimination took place.
- The types of discrimination you think are involved in the case (for example, race, sex, disability, age).
- The names of any people who were involved in the discrimination, including any witnesses.

You must also explain what happened, and why you think discrimination took place.

Do I have to file the complaint myself? You may file the complaint through a "representative." Your representative may be a lawyer, a family member, a social worker, a union steward, or anyone else you choose to file the complaint for you, these three things must be on the complaint.

- First, your representative's name must be on the complaint.
- Second, the complaint must say that your representative is filing the complaint for you.
- Third, you must personally sign the complaint.

## Where may I file a complaint? You can choose one of two possible places to file your complaint.

The state or local level. If you would like to file your complaint at the state or local level, here is the contact information for the correct office:

Naikie Doglod Equal Opportunity Officer Job Service North Dakota PO Box 5507 Bismarck ND 58508-5507	<a href="mailto:ndoglod@nd.gov">ndoglod@nd.gov</a> Tel: 701-328-1976 TTY: 800-368-6888 Fax: 701-328-4894
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The Federal government's Civil Rights Center. If you would like to file your complaint with the Civil Rights Center, please send it to this address:

US Department of Labor  
Civil Rights Center 200  
Constitution Ave, NW Room  
N4123 Washington DC 20210

If you have any questions, you may contact CRC by phone or email:

Phone: 202-693-6500  
TTY/TDD: 202-693-6516  
Email: [CivilRightsCenter@dol.gov](mailto:CivilRightsCenter@dol.gov)  
Or check CRC's website: <http://www.dol.gov/oasam/programs/crc>

CRC's business hours are 9 am to 5 pm, Eastern Time.

## Do I need to use a special form to file the complaint?

- If you file a complaint with CRC you do not have to use a special form at first. You just need to make sure to send us all of the information on the list in the "What should the complaint include?" section of this poster. But if you do not use our complaint form, we will ask you to fill out a copy of the form before we begin working on your complaint.
- If you would like to file your complaint at the State or local level, you also do not need to use a special form at first. But the office where you file your complaint may also ask you to fill out one or more forms before its staff begins working on your complaint. Please use the contact information above to check with that office.

## Where can I get a copy of CRC's complaint form?

- Are you able to use the internet to print forms? If yes, CRC's website has copies of the complaint form, in either English or Spanish.  
This is the Web address for the form in English:  
[http://www.dol.gov/oasam/programs/crc/CIFEng\(wd\)08.doc](http://www.dol.gov/oasam/programs/crc/CIFEng(wd)08.doc)  
This is the Web address for the form in Spanish:  
[http://www.dol.gov/oasam/programs/crc/CIF\(Span\)08.doc](http://www.dol.gov/oasam/programs/crc/CIF(Span)08.doc)
- If you are not able to use the Internet to print forms, you may get a copy of CRC's complaint form in one of these ways:  
You may write to CRC to ask for a copy of the form. Look for CRC's mailing address on this poster.  
The business, organization, or office where you are reading this poster should be able to give you a copy of the form.

# KNOW YOUR RIGHTS!

## EQUAL OPPORTUNITY IS THE LAW

It is against the law for this recipient of federal financial assistance to discriminate on the following basis:

Against any individual in the United States 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 Title I of the Workforce Innovation and Opportunity Act (WIOA) on the basis of the beneficiary's citizenship/status as a lawfully-admitted immigrant authorized to work in the United States or his or her participation in any WIOA Title I financially-assisted program or activity.

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

Deciding who will be admitted or have access to any WIOA Title I financially-assisted program or activity

Providing opportunities in or treating any person with regard to such a program or activity

Making employment decisions in the administration of or in connection with such a program or activity.

### *WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION*

If you think you have been subjected to discrimination under a WIOA Title I financially-assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either the recipient's Equal Opportunity Officer:

Naika Doglod  
Equal Opportunity Officer  
Job Service North Dakota  
PO Box 5507  
Bismarck, ND 58506-5507

[ndoglod@nd.gov](mailto:ndoglod@nd.gov)  
Telephone 701-328-1976  
Fax 701-328-4894  
Statewide TTY 800-366-6888

or you may file a complaint directly with:

Director  
Civil Rights Center (CRC)  
U.S. Department of Labor  
200 Constitution Avenue NW, Room N-4123  
Washington, D.C. 20210

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action or until 90 days have passed (whichever is sooner) before filing with the CRC. (See address above.)

If the recipient does not give you 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 the recipient to issue that Notice before filing a complaint with the CRC. However, you must file your CRC complaint within 30 days of the 90 day deadline. (In other words, within 120 days after the day on which you filed your complaint with the recipient.)

If the recipient does give you 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 the CRC complaint within 30 days of the date on which you received the Notice of Final Action.



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## LA OPORTUNIDAD IGUAL ES LA LEY

Es contra la ley para este receptor de la ayuda económica federal de discriminar sobre la base siguiente:

- ⦿ Contra un individual en los Estados Unidos sobre la base de la raza, del color, de la religión, del sexo, del origen nacional, de la edad, de la inhabilidad, de la afiliación política o de la creencia, y
- ⦿ Contra cualquier beneficiario de programas asistidos económicamente el Título I de la Innovación de la Fuerza Laboral y la Ley de Oportunidades (WIOA) sobre el base del beneficiarios ciudadanía / estado como un inmigrante admitido legal autorizado para trabajar en Los Estados Unidos o su participación en cualquier programa o actividad ayudado económicamente por WIOA Título I.

El receptor no debe discriminar en cualquiera de las áreas siguientes:

- ⦿ En decidir quien será admitido o tener acceso a cualquier programa o actividad de un título de WIOA ayudado económicamente.
- ⦿ Proveer oportunidades adentro o tratar a cualquier persona con respecto tal programa o actividad
- ⦿ Tomando decisiones del empleo en la administración o en conexión con tal programa o actividad.

### *QUE HACER SI USTED CREE QUE HA EXPERIMENTADO LA DISCRIMINACION*

Si usted piensa que le han sujetado a la discriminación bajo Título I de WIOA del programa o actividad ayudado económicamente, usted puede presentar una queja en el plazo de 180 días a partir de la fecha de la violación alegada con El Oficial de la Oportunidad Igual del receptor:

Naike Doglod  
Equal Opportunity Officer  
Job Service North Dakota  
PO Box 5507  
Bismarck, ND 58506-5507

[ndoglod@nd.gov](mailto:ndoglod@nd.gov)  
Telephone 701-328-1976  
Fax 701-328-4894  
Statewide TTY 800-366-6888

o usted puede presentar una queja directamente con:

Director  
Civil Rights Center (CRC)  
U.S. Department of Labor  
200 Constitution Avenue NW, Room N-4123  
Washington, D.C. 20210

Si usted presenta su queja con el receptor, usted debe esperar hasta que el receptor escribe un aviso público de la Acción Final o hasta que han pasado 90 días (cualquiera será más pronto) antes de presentar con el CRC (veya la dirección arriba).

Si el receptor no le da un aviso escrito de La Acción Final en el plazo de 90 días del día en cual usted presentó su queja, usted no tiene que esperar al receptor para publicar ese aviso antes de presentar una queja con el CRC. Sin embargo, usted debe presentar su queja del CRC en el plazo de 30 días de la fecha tope del plazo de 90 días. (Es decir en el plazo de 120 días después del día en cual usted presentó su queja con el receptor.)

Si el receptor le da un aviso escrito de La Acción Final en su queja pero esta descontento con la decisión o resolución, usted puede presentar una queja con el CRC. Usted debe presentar la queja del CRC en el plazo de 30 días de la fecha en cual usted recibió El Aviso De La Acción Final.



Job Service North Dakota es un empleador de la oportunidad igual/programa proveedor.  
Las ayudas y servicios están disponibles al ser solicitados para los individuales con discapacidades

## Job Service North Dakota Office Locations

### **Bismarck**

1601 E Century Ave  
Bismarck, ND 58503  
Ph: 701-328-5000  
Fax: 701-328-5050

### **Fargo**

1350 32nd St S  
Fargo, ND 58103  
Ph: 701-239-7300  
Fax: 701-239-7350

### **Minot**

3416 N Broadway  
Minot, ND 58703  
Ph: 701-857-7500  
Fax: 701-857-7550

### **Devils Lake**

301 College Dr S  
Devils Lake, ND 58301  
Ph: 701-662-9300  
Fax: 701-662-9310

### **Grand Forks**

1501 28th Ave S  
Grand Forks, ND 58201  
Ph: 701-795-3700  
Fax: 701-795-3750

### **Wahpeton**

524 2nd Ave N  
Wahpeton, ND 58075  
Ph: 701-671-1550  
Fax: 701-671-1575

### **Dickinson**

66 Osborn Dr  
Dickinson, ND 58601  
Ph: 701-227-3100  
Fax: 701-227-3111

### **Jamestown**

1307 12th Ave NE, Ste 3  
Jamestown, ND 58401  
Ph: 701-253-6200  
Fax: 701-253-6222

### **Williston**

422 1st Ave W  
Williston, ND 58801  
Ph: 701-774-7900  
Fax: 701-774-7925

### **TTY Relay ND**

800-366-6888  
7-1-1



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1000 East Divide Avenue  
P.O. Box 5507  
Bismarck, ND 58506-5507

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE \$300

CHANGE SERVICE REQUESTED

PRESORTED  
STANDARD  
POSTAGE & FEES  
**PAID**  
BISMARCK N.D.  
PERMIT NO. 104