UNEMPLOYMENT INSURANCE

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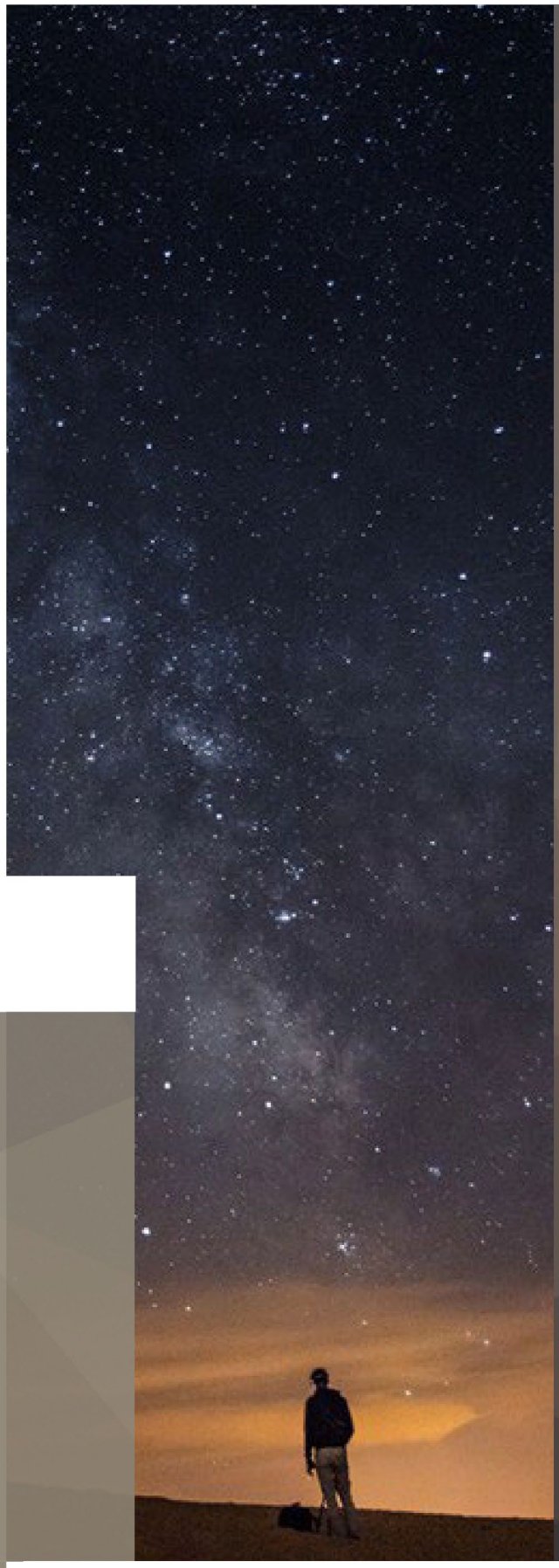

CLAIMANT GUIDE

NORTH Dakota | Job Service
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- ES-935 Affidavit of Federal Civilian Service Wages
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- Job Contacts Record
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A complete list of forms is available online at jobsnd.com, Forms – Unemployment for Individuals.

INTRODUCTION TO UNEMPLOYMENT INSURANCE

INTRODUCTION

This Unemployment Insurance Claimant Guide provides an overview of the benefit provisions of the 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 the 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, Unemployment for Individuals, then Resources-Unemployment for Individuals.

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

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.

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.

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.

WHO PAYS FOR UNEMPLOYMENT INSURANCE?

Unemployment insurance benefits are paid by employer premiums. No money is deducted from your paycheck to pay for Unemployment Insurance benefits. Under the Federal Unemployment Tax Act of 1939, employers are required to pay premiums for the cost of Unemployment Insurance at the state and federal levels.

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 you may be requested to submit a copy of your DD-214.

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 located on jobsnd.com. Select unemployment for individuals, then Forms. 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 the proper federal agency is contacted, please provide a copy of your Standard Form 8 (SF-8).

Additional information and "How To" videos explaining the unemployment insurance requirements are available in the Resources – Unemployment for Individuals section on jobsnd.com.

DISCRIMINATION IS AGAINST THE LAW!

Federal laws protect you, and other people, from discrimination by some or all programs of the business, organization, or office where you are reading this poster. The Civil Rights Center (known as "CRC"), in the U.S. 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 (the Workforce Investment 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
- 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 also must 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. If a representative files your 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:

Dawn Greuel
Equal Opportunity Officer Job
Service North Dakota PO
Box5507
Bismarck ND 58506–5507

dgreuel@ncl.gov
Tel: 701-328-3030
Tri: 800-366-6888
fax: 701-367-3246

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:

U.S. DEPARTMENT OF LABOR
CIVIL RIGHTS CENTER
200 CONSTITUTION AVE. NW
ROOM 4123
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

Or check CRC's website: http://www.dol.gov/oasam/programs/crc CRC's business hours are 9am to 5pm, Eastern Time.

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

- If you file your complaint with CRC, you do not have to use a special form at first. You just need to make sure to send us all 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 the 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 English or Spanish.
  - This is the Web address for the form in English: http://www.dol.gov/oasam/programs/crc/CIFEng(Wd)08.doc
  - This is the Web address in Spanish: http://www.dol.gov/oasam/programs/crc/CIF(Span)08.doc
- If you are not able to use the internet 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!

BABEL NOTICE – LANGUAGE ASSISTANCE FOR VITAL INFORMATION

English

IMPORTANT! This document application contains important information about your rights, responsibilities and/or benefits, and deadline dates for responding to Job Service mailings. It is critical that you understand the information in this document, and we will provide the information in your preferred language at no cost to you. Contact Job Service North Dakota's unemployment claims center at 701-328-4995 for assistance in the translation and understanding of the information in this document.

Spanish

¡IMPORTANTE! Este documento de solicitud contiene información importante sobre sus derechos, responsabilidades y/o beneficios, y las fechas límite para responder a los correos del Servicio de Empleo. Es fundamental que comprenda la información de este documento y le proporcionaremos la información en su idioma preferido sin costo alguno para usted. Comuníquese con el centro de reclamos de desempleo de Job Service North Dakota al 701-328- 4995 para obtener asistencia en la traducción y comprensión de la información en este documento.

German

WICHTIG! Dieses Antragsdokument enthält wichtige Informationen über Ihre Rechte, Pflichten und/oder Leistungen sowie Fristen für die Beantwortung von Mailings des Job Service. Es ist wichtig, dass Sie die Informationen in diesem Dokument verstehen, und wir stellen Ihnen die Informationen kostenlos in Ihrer bevorzugten Sprache zur Verfügung. Wenden Sie sich unter 701-328-4995 an das Job Service North Dakotas Zentrum für Arbeitslosenansprüche, um Unterstützung bei der Übersetzung und dem Verständnis der Informationen in diesem Dokument zu erhalten.

Chinese – Traditional

重要的！ 本文件申請包含有關您的權利、責任和/或福利以及回复 Job Service 郵件的截止日期的重要信息。 您理解本文檔中的信息至關重要，我們將免費以您喜歡的語言提供信息。 請致電 701-328-4995 聯繫北達科他州就業服務中心的失業申領中心，以獲得翻譯和理解本文件中信息的幫助。

Vietnamese

QUAN TRỌNG! Ứng dụng tài liệu này chứa thông tin quan trọng về quyền, trách nhiệm và / hoặc lợi ích của bạn, và ngày hạn chót để trả lời thư Dịch vụ Việc làm. Điều quan trọng là bạn phải hiểu thông tin trong tài liệu này và chúng tôi sẽ cung cấp miễn phí thông tin bằng ngôn ngữ ưa thích của bạn. Liên hệ với Trung tâm bảo lãnh thất nghiệp của North Dakota theo số 701-328-4995 để được hỗ trợ trong việc dịch và hiểu thông tin trong tài liệu này.

Arabic

مهم! يحتوي تطبيق المستند هذا على معلومات مهمة حول حقوقك و /أو مسؤولياتك و /أو مزاياك ، وتواريخ المواعيد النهائية للرد على مراس►►ت خدمة العمل. من المهم أن تفهم المعلومات الواردة في هذا المستند ، وسوف نقدم المعلومات بلغتك المفضلة دون أي تكلفة عليك. اتصل بمركز مطالبات البطالة Job على الرقم 701-328-4995 للمساعدة في ترجمة وفهم المعلومات الواردة في هذا Service North Dakota المستند.

Swahili

MUHIMU! Ombi hili la hati lina taarifa muhimu kuhusu haki zako, wajibu na/au manufaa, na tarehe za mwisho za kujibu barua za Huduma ya Kazi. Ni muhimu kwamba uelewe maelezo katika hati hii, na tutakupa maelezo katika lugha unayopendelea bila gharama yoyote kwako. Wasiliana na kituo cha madai ya ukosefu wa ajira cha Huduma ya Kazi ya North Dakota kwa 701- 328-4995 kwa usaidizi wa kutafsiri na kuelewa maelezo katika hati hii.

Russian

ВАЖНЫЙ! Этот документ содержит важную информацию о ваших правах, обязанностях и/или преимуществах, а также о крайних сроках ответа на рассылки Службы трудоустройства. Очень важно, чтобы вы поняли информацию, содержащуюся в этом документе, и мы предоставим вам информацию на предпочитаемом вами языке бесплатно. Свяжитесь с центром подачи заявок на пособие по безработице Службы занятости Северной Дакоты по телефону 701-328-4995, чтобы получить помощь в переводе и понимании информации, содержащейся в этом документе.

Somali

MUHIIM AH! Codsigan waxaa ku jira macluumaad muhiim ah oo ku saabsan xuquuqdaada, waajibaadyadaada iyo/ama dheefahaaga, iyo waqtiyada kama dambaysta ah ee lagaga jawaabayo boostada adeega shaqada. Waxaa muhiim ah in aad fahamto macluumaadka ku jira dukumentigaan, macluumaadkana waxaanu ku soo gudbin doonaa luuqadda aad jeceshahay oo qaali kuguma aha. La xiriir Adeegga Shaqada Ee Xarunta Sheegashada Shaqo La'aanta ee North Dakota ee 701-328-4995 si aad uga caawiso turjumaadda iyo fahamka macluumaadka ku jira dokumentigan.

Japanese

重要！　この書類申請書には、あなたの権利、責任および/または利益に関する重要な情報、および求人サービスの郵便物への返信期限日が含まれています。　この文書の情報を理解することは非常に重要です。当社は、ご希望の言語で無料で情報を提供します。　このドキュメントの情報を翻訳して理解するには、Job Service North Dakota の失業保険請求センター (701-328-4995)に連絡してください。

Nepali

मह◆पूण◆! यस कागजात आवेदनले तपाईंको अिधकार, िज□ेवारी र/वा लाभह◆, र रोजगार सेवा पत्रह◆को जवाफ िदनको लाि◌ग अ◆◆म िमितह◆ बारे मह◆पूण◆ जानकारी समावेश गद◆छ। यो मह◆पूण◆ छ िक तपाईंले यस कागजातमा जानकारी बुझ्नु◆न्छ, र हामी तपाईंलाई कुनै पिन लागत िबना तपाईंको मनपन◆ भाषामा जानकारी प्रदान गन◆छौं। यस कागजातमा भएको जानकारीको अनुवाद र बुझाइमा सहयोगको लाि◌ग ७०१-३२८-४९९५ मा रोजगार सेवा उ◆री डकोटाको बेरोजगार दाबी के◆मा स◆क◆ गनु◆होस्।

French

IMPORTANT! Cette demande de document contient des informations importantes sur vos droits, responsabilités et/ou avantages, et les dates limites pour répondre aux envois de Job Service. Il est essentiel que vous compreniez les informations contenues dans ce document, et nous vous fournirons gratuitement les informations dans la langue de votre choix. Contactez le centre de demandes de chômage du Job Service North Dakota au 701-328-4995 pour obtenir de l'aide dans la traduction et la compréhension des informations contenues dans ce document.

Korean

중요한! 이 문서 신청서에는 귀하의 권리, 책임 및/또는 혜택, 그리고 Job Service 우편물에 대한 응답 마감일에 대한 중요한 정보가 포함되어 있습니다. 이 문서의 정보를 이해하는 것이 중요하며, 당사는 귀하가 선호하는 언어로 정보를 무료로 제공할 것입니다. 이 문서의 정보를 번역하고 이해하는 데 도움이 필요하면 Job Service North Dakota의 실업 수당 청구 센터(701-328-4995)에 문의하십시오.

AM I ELIGIBLE TO RECEIVE UNEMPLOYMENT INSURANCE?

MONETARY AND NON–MONETARY ELIGIBILITY

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

There are two types of eligibility requirements that qualify you for the unemployment insurance program.

1) You must meet the monetary eligibility requirements.
    a. This tells you how much your weekly benefit will be and the number of weeks you qualify for.
2) You must also meet the non-monetary eligibility requirements.
    a. These include all other UI program requirements not associated with the weekly benefit amount and duration.

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 unemployment insurance benefits will be allowed or denied on your claim. Even if you may have earned enough wages in your base period to qualify for unemployment insurance, you can be disqualified for other non-monetary reasons.

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: 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.

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: SEARCH FOR WORK

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 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.

Additional information and "How To" videos explaining the unemployment insurance requirements are available in the Resources – Unemployment for Individuals section on jobsnd.com.

HOW TO FILE A CLAIM

CLAIM FILING INFORMATION

You must file a new claim or reopen an existing claim online at jobsnd.com or by calling the automated phone system 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
7 **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			

If you file your claim on any day of the week outlined in bold above, your claim's effective date will be the 7th of the month.

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.

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 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:

- Check your To-Do list
- Change your demographics
- Complete online fact-finding
- Complete online reemployment activities
- View correspondence
- Sign up for E-Alerts
- Select or edit your payment method

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

UI ICE is Job Service North Dakota's Unemployment Insurance Internet Claims Entry system. 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. Enter the code you received from the confirmation email and click confirm. Then you will be able to login with your new State of ND login and password.

7. Enter your Social Security number and date of birth; then press submit.

8. You will arrive at the UI ICE main menu 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.

REMEMBER: While using UI ICE, be sure to press Save/Continue every 30 minutes prior to logging off, as this will save your data. If you close your browser or experience

computer or Internet access problems that cause you to be disconnected from UI ICE, any data that has not been saved will be lost.
Click on the "How To" video explaining How to Login to UI ICE

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.

Click on the "How To" video below for information on Filing a Claim Online Using the UI ICE Website

ELECTRONIC NOTIFICATIONS

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 if you select to receive them 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 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 list of tasks and their corresponding due dates.

PHONE SERVICES

Call the automated phone system at 701-328-4995 (TTY: 800-366-6888)
to file a 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.*

CANCELING A CLAIM

You can request to have your claim cancelled if:

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, PO 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. To receive benefits after your claim has gone to inactive status, you must first reopen your claim.

- To prevent missing a week of potential eligibility you should file your claim during the week you are laid off.
- Your claim becomes effective the Sunday of the week you reopen your claim. Please note that for unemployment insurance purposes, the week always starts on Sunday and ends on Saturday.

Once your claim is inactive, you MUST reopen your claim during the week you wish to be paid for. Your claim becomes effective the Sunday of the week you reopen your claim.
Backdating a claim is not allowed.

If you do not complete your weekly certifications in a timely manner, you will be required to reopen your claim prior to receiving any further benefits. To ensure that your certifications are timely, you should stay within the following time frame when certifying:

- Certify within 13 days of the Saturday of the week in which you started your claim; or
- Certify within 13 days of the Saturday of the last week you had previously certified.

You can reopen your claim online at jobsnd.com through our UI ICE website.

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.

For additional information Click on the "How To" video, Helpful Tips for Job Attached Filers

Additional information and "How To" videos explaining the unemployment insurance requirements are available in the Resources – Unemployment for Individuals *section on jobsnd.com.*

I FILED MY CLAIM, NOW WHAT DO I DO?

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.
Respond to information requests by the designated deadlines.

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 https://www.ndworkforceconnection.com or register with your local workforce agency.

Each week, starting the week, you file your claim:
Complete the assigned number of job contacts each week. Job Contacts forms are available on the jobsnd.com website under Forms.

Report your earnings
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 disqualification fraud determination.

No later than the due dates indicated in the information Job Service provides:
Complete your reemployment activities.
Contact your case manager on the date and time scheduled if you have been selected to participate in case management activities.

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 https://www.ndworkforceconnection.com

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 https://www.ndworkforceconnection.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.

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 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 need to reset your PIN, you can do so before completing your certification or from the main menu.

WEEKLY CERTIFICATIONS

Establishing your unemployment insurance claim does not start payments to you. You must maintain your eligibility and complete a weekly certification 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.
- Refused or missed work.
- Worked during the week.
- Were self-employed.
- Made job contacts (if required).
- Received pay.
- Separated from employment

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.

Click on the "How To" video, Filing a Weekly Certification Using the UI ICE Website

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 13th 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 (9th).
2. The calendar week ends on Saturday (13th).
3. The soonest you can certify is Sunday (14th).
4. You must certify by 10 p.m. on the 13th day (Friday, 26th).

Weekly Certification Example

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9 **# 1 Filed claim**	10	11	12	13 **# 2 Calendar week ends**
14 **# 3 Soonest you can certify**	15	16	17	18	19	20
21	22	23	24	25	26 **# 4 13th Day. Certify by 10 p.m.**	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 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.

- 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 gross (before taxes & other deductions are taken out) earnings for the week.

After your certification is complete, your information is immediately entered in 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.

- If you report earnings or have other reductions to the benefits paid to you each week, you may 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.

For additional information Click on the "How To" video, Helpful Tips for Job Attached Filers

REPORTING EARNINGS

Report all gross earnings for the week when you certify. Gross earnings are earnings **before** taxes or other deductions. If you're unsure whether something should be reported, report it anyway and contact the Claims Center at 701-328-4995. This helps prevent overpayments that you will have to pay back.

Job Service verifies earnings. Providing false information will result in having to repay benefits received for that week, possible interest, penalties, and potential criminal charges.

When to Report Common Types of Earnings

Regular Pay

If you are paid by the hour: Multiply the number of hours you worked from Sunday through Saturday of the week you are certifying for by your hourly pay rate.

- If you are paid a monthly salary: Take your gross monthly pay (before taxes or other deductions), multiply it by 3, and then divide that number by 13. This gives you your weekly gross earnings. Gross Monthly Pay × 3 ÷ 13

Report your regular pay for the week you earned it, even if you won't be paid until later. Regular pay includes hourly, weekly, or monthly wages, as well as shift or project differentials.

Commissions

Report your gross commissions for the week you earned them. If you don't know the exact amount, report an estimate based on your acceptable minimum wage multiplied by the hours you worked. When you receive the actual payment, send a check stub copy or other proof so your records and benefits can be adjusted.

Tips

Report tips the week in which they are earned.

Back Pay

Report back pay for the weeks it covers. Notify Job Service as soon as you learn that you will receive or have received back pay.

Wages in Lieu of Work

Report wages in lieu of work in the week they are meant to cover. Wages in lieu of work are payments you receive for time you did not work. For example, your employer might pay you through your two-week notice period even though you did not work during that time.

Incentive or Piecework Pay

Report the week you receive payment. Report this value as self-employment in your certification.

Holiday Pay

Report holiday pay during the week the holiday occurs. This includes pay for unworked holiday hours and any higher hourly rate you receive for working on the holiday.

Bonus Pay

Report bonus pay in the week your employer paid it. A few examples of a bonus may be in the form of a Christmas bonus, a year-end bonus, or an early completion bonus.

Vacation or Annual Leave Pay

Report earnings in the week the vacation or annual leave is taken. If you receive a lump-sum payment for accrued annual/vacation leave, report the earnings when your employer paid it.

Sick Leave Pay

Report earnings in the week the sick leave is taken. If you receive a lump-sum payment for sick leave, report the earnings when your employer paid it.

Employer Paid Disability Insurance Benefits

Report disability insurance benefits for the week the payment is meant to cover. You must report these benefits if your employer paid the insurance premium. If the benefit isn't paid weekly, convert it to a weekly amount. For example, to convert a monthly payment, multiply it by 3 and divide by 13. Monthly payment × 3 ÷ 13.

Severance Pay/Pension

Report severance pay as indicated in the non-monetary determination letter issued by Job Service. If you are receiving severance pay that you have not disclosed to Job Service, then contact the claim center at 701-328-4995.

Income from Self-Employment

Report your net self-employment income for the week you earned it. If you don't know the exact amount, estimate it using the minimum wage you listed with Job Service multiplied by the hours you worked. Your estimate cannot be below the federal minimum wage. When you receive the actual amount, send documentation such as a check stub copy so your records and benefits can be updated.

Farming or Ranching Income

Report farming or ranching income as self-employment income in your weekly certification. Calculate your gross income by multiplying the number of hours you worked by the minimum wage you designated as acceptable for work.

Report the Following Earnings the Week Earned

Type of Earnings	When to Report the Earnings
Regular Pay	In the week the work was done
Commissions	In the week you earned the commissions
Tips	In the week the tips were earned
Self-Employment	In the week earned
Farming or Ranching	In the week earned

Report the Following Earnings the Week Paid by Your Employer/Client

Type of Earnings	When to Report the Earnings
Bonus Pay	In the week the work was done In the week the bonus was paid. Refer to the date on the bonus for which week to pay it in.
Vacation/Annual Leave Payout	In the week the lump-sum payment was made
Sick Leave Payout	In the week the lump-sum payment was made
Incentive or Piecework Pay	In the week you receive the payment

Report the Following Earnings in the Week Intended to Cover

Type of Earnings	When to Report the Earnings
Vacation/Annual Leave Taken	In the week taken or intended to cover
Sick Leave Taken	In the week taken or intended to cover
Back Pay	In the week the back pay is intended to cover
Wages in Lieu of Work	In the week the wages in lieu are intended to cover
Holiday Pay	In the week the holiday occurs
Employer Paid Disability Insurance	In the week the payment is intended to cover

The Following Earnings Do Not Need to Be Reported to Job Service North Dakota

Oil Royalties
Rental Income
Student Loan Reimbursement
Social Security Payments
Plasma Donations
Garage Sale Proceeds
Lottery Winnings
IRA Disbursements

For additional information Click on the "How To" video, How to Report Your Earnings and Income - YouTube

BASIC ELIGIBILITY REQUIREMENT: JOB CONTACTS

Who needs to make job contacts?
You must actively look for work if:
- You are not returning to your previous employer and/or
- You are not a paid-up union member and on the out-of-work list

What is a job contact?
A job contact is applying for a job you are willing and able to accept. The purpose is to help you become employed. The more job contacts you make the more likely you are to find work.

When do I need to make job contacts?
- You must make the assigned number of job contacts **every week** you want to receive unemployment benefits, including your waiting week.
- Start making contacts the **same week you apply** for benefits.

Your job contact must:
- Be for work you are qualified for and would accept.
- Be for at least the same number of hours you worked in your base period.
- For example: If you worked 40 hours during your base period, your contact must be for a position that works 40 hours or more.
- Only list the same employer twice in one week if each contact is for a different, posted position.
- Submit an application or resume for a specific position to the employer.

Requirements for acceptable job contacts
- A posted position can only be used as a contact once for each posting period.
- If contacting an employer who does not currently have a job opening:
- You cannot use that employer as a contact if you already used them as a contact within the past two weekly certifications.

The following are NOT valid Job Contacts:
- Following up on an application
- Attending job interviews
- Contacts where you do not know who the employer is. For example, the employer is marked as "confidential"
- Phone calls when the employer did not specifically ask applicants to call and you did not leave your contact information
- The contact is made to obtain self-employment
- Applying for a job where the position does not exist for that employer. For example, applying to be a nurse with a restaurant, or a dentist at a grocery store.
- Signing up with a recruiter without applying for a specific job

Helpful Tips:

- Save your application confirmation emails and/or take a screenshot of successful application submissions that show the date submitted.
- Be prepared to submit your work search records when requested if you certify over the automated phone system.

To record your job contacts and the required information, use the Job Contacts Form located at **jobsnd.com** under *Unemployment for Individuals* > *Forms*.

Job Service verifies contacts. Providing false information will result in losing benefits and having to repay benefits received for that week, plus possible interest and penalties.

Acceptable ways to make job contacts and required information for each form of contact

Company or Staffing Agency Contact Information Required	**Contact Method**			
	Phone Only allowed if the employer specifically asks applicants to call; You **must** leave your contact information	**Mail/Fax** Mail or fax a resume or job application	**In Person** You must speak with someone who has hiring authority **and** submit an application or resume	**Website/Email** Complete an online application on an employer's website or kiosk, or submit an application/resume via email
Contact Date	YES	YES	YES	YES
Company Name	YES	YES	YES	YES
Company Address	YES	YES	YES	Website or Email Address
Company Phone Number	YES	YES	YES	NO
Job Title or Job Order number	YES	YES	YES	YES
Name of Person with Hiring Authority	YES	NO	YES	NO
Job Title of Person Contacted	YES	NO	YES	NO

To help you record your job contacts and the required information, use the Job Contacts form located on jobsnd.com. Select unemployment for individuals, then Forms.

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 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.

To Post a Resume

1. Go to 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, 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.

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.

BASIC ELIGIBILITY REQUIREMENT: REEMPLOYMENT SERVICES

Job Service may require you to complete 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 online, attending workshops or meeting with a case manager.

Sample "My To-Do List" Calendar

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	31	1	2	3	4	5
6	7	8	9	10	11	12
13 Certify	14 **REMINDER** Make a Minimum of 3 Job Contacts this week	15	16	17	18	19
20 Fact Finding Letters	21	22 **REMINDER** Make a Minimum of 3 Job Contacts this week	23	24	25	26
27	28	29 **REMINDER** Make a Minimum of 3 Job Contacts this week	30	1	2	3
4	5	6 **REMINDER** Make a Minimum of 3 Job Contacts this week	7	8	9	10

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 offer letter. 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 you need to continue making job contacts. Continue to make your job contacts and complete any 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 your gross income for the week.

Click on the "How To" video I Filed My Claim, Now What Do I Do?

Additional information and "How To" videos explaining the unemployment insurance requirements are available in the Resources – Unemployment for Individuals *section on jobsnd.com.*

HOW MUCH WILL YOU RECEIVE INBENEFITS?

MONETARY REQUIREMENTS

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 Resources – Unemployment for Individuals section on jobsnd.com.

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.

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.

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.

If you filed your claim in calendar month:	Your base period is the previous:
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

UNEMPLOYMENT BENEFIT ESTIMATOR

An unemployment benefit estimator is available on jobsnd.com.
The unemployment benefits estimator is intended to be a quick reference for determining your approximate potential benefit amounts if you were to file a claim this week.

Keep in mind these results are an approximation presented for illustration purposes only. This estimate is not a guarantee of benefits.

Example

EMPLOYER NAME	**1st Quarter** January February March	**2nd Quarter** April May June	**3rd Quarter** July August September	**4th Quarter** October November December	**Quarter Totals**
Employer ABC	$3,500	$3,000	$3,000	$3,000	$12,500
Employer 123	$500	$900	$500	$500	$2,400
Employer XYZ	$250	$250	$250	$250	$1,000
Totals	$4,250	$4,150	$3,750	$3,750	$15,900
	Highest Quarter	2nd Highest Quarter	3rd Highest Quarter *This is the Quarter you would use half of. *		

To Determine the Weekly Benefit Amount Calculation and the number of weeks you qualify for:
In this example the claimant is monetarily eligible for $158 for 26 weeks.
Calculate your weekly benefit amount.
The formula: Total of the 2 ½ highest quarters
Step #1: Add together the highest 2 ½ quarters

Highest Quarter: 1st Quarter 2024 (January, February, March) = $4,250
2nd Highest Quarter: 2nd Quarter 2024 (April, May, June) = $4,150
3RD Highest Quarter: 3rd Quarter 2024 (July, August, September) = $1,875
($3,750 divided by 2 = $1,875)
Sum of the highest 2 ½ quarters = $10,275

Step #2: View the Unemployment Benefit chart on jobsnd.com located in the Resources – Unemployment for Individuals section
Locate the sum of the highest 2 ½ quarters on the chart. In this example, you would locate = $10,275
This is equal to a weekly benefit amount of $158

Calculate the number of weeks you qualify for. The formula: Total wages divided by the highest quarter

Step #1: Add together all 4 quarters of wages in your base period.

1st Quarter 2024 (January, February, March) = $4,250

2nd Quarter 2024 (April, May, June) = $4,150

3rd Quarter 2024 (July, August, September) = $3,750

4th Quarter 2024 (October, November, December) = $3,750

Sum of all 4 quarters = $15,900

Step #2: The sum of all 4 quarters is divided by the highest quarter.

$15,900 divided by $4,250 = 3.74

Step #3: View the Unemployment Benefit chart on jobsnd.com located in the Resources – Unemployment for Individuals section

Locate duration chart.
In this example, the standard is = 3.68
This is equal to 26 weeks

DURATION Total wages divided by the highest quarter = Ratio			
Ratio	Number of Weeks	Ratio	Number of Weeks
1.50 - 2.29	12	2.75 - 2.89	20
2.30 - 2.44	14	2.90 - 3.04	22
2.45 - 2.59	16	3.05 - 3.19	24
2.60 - 2.74	18	3.20 or more	26

MONETARY DETERMINATION

You will receive a Monetary Determination that outlines your weekly benefit amount and the duration of your unemployment insurance claim. It also shows the Maximum Benefit Amount (MBA) available on your claim, and your Weekly Benefit Amount (WBA).

You should receive your monetary determination by the delivery method chosen. If you signed up for electronic correspondence the monetary determination letter will not be mailed. You will receive an e-Alert message notifying you information about your unemployment insurance claim is available online through the correspondence link in your UI ICE account.

Your monetary determination outlines:

If 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.

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.

Once filed, a 52-week benefit year is established. You cannot file another new claim in North Dakota until that year is over. Your benefits, however, may not last the entire year.
Unemployment insurance generally allows for 12 to 26 weeks of benefits.

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 for your card to arrive in the mail.*

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.

The Way2Go 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, 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.*

Way2Go Debit Card and direct deposit frequently asked question documents are available in the Resources -Unemployment for Individuals section on jobsnd.com.

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 31st of each year, Job Service North Dakota will mail a 1099-G statement to your last known address.

If you are no longer claiming benefits and need to update your address, log into your UI ICE account to update your demographics. 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.

Additional information and "How To" videos explaining the unemployment insurance requirements are available in the Resources – Unemployment for Individuals section on jobsnd.com.

WHAT COULD KEEP ME FROM RECEIVING UNEMPLOYMENT INSURANCE?

If Job Service has questions about your eligibility for benefits:

- Your ability to receive benefit payments will be stopped
- We may send you a letter requesting information or conduct a telephone interview to obtain the necessary information to make a determination
- You must continue to certify each week you wish to receive benefit payments until a decision on the issue is made
- We will send you a written decision about your eligibility for benefits

Disqualifications

You may have an issue placed on your claim and be disqualified from receiving unemployment insurance benefits. Failure to meet all unemployment insurance requirements may stop benefit payments. Listed below are examples of issues and not a complete list:

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.

To be considered for benefits while in training, the *Request for Benefits While in Training* form must be submitted. Review the form and if you feel you meet the requirements, work with a representative in your local workforce agency to complete the request. You can review the Request for Benefits While in Training form located on jobsnd.com. Select unemployment for individuals, then Forms

Additional information and "How To" videos explaining the unemployment insurance requirements are available in the Resources – Unemployment for Individuals *section on jobsnd.com.*

WHAT IF I DO NOT AGREE WITH A JOB SERVICE DECISION?

APPEALING A DETERMINATION

Employers and claimants have the right to appeal all notices, determinations, and decisions made by Job Service. The hearing is your opportunity to offer evidence and provide testimony in your case.

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.

How do I file an appeal?

You may file your appeal online at UI ICE or by submitting a detailed appeal in writing. All requests must be filed with the Appeals Section of Job Service North Dakota on or prior to the deadline date listed in your determination or decision.

Written requests for appeal or bureau review may be delivered in person to any Job Service office, faxed to 701-328-2728 (claimant) or 701-328-1882 (employers), or mailed to: Appeals Section, PO Box 5507, Bismarck, North Dakota 58506-5507.

Scheduling a hearing

After filing your appeal, you will receive written notification of the date and time of the hearing. You will also receive a Guide to Unemployment Insurance Appeals brochure explaining the appeals process and how to prepare for the hearing.

First-Level Appeals – Hearing Procedure

Once you file your appeal it is sent for assignment to an appeal 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.

How are hearings conducted?

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 witness(es) 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.

How to prepare

Use the time before the hearing to prepare to tell your side of the story. Be sure to review all documents sent to you that will be used in the hearing. You may view the documents online using the UI ICE system.

If you wish, you may have an attorney to represent you. If you choose to have an attorney represent you, please notify Job Service as soon as possible with the name of the attorney.

You may have documents that will support your testimony such as statements of separation, attendance records, written warnings, work searches, etc. Submit documents that support your testimony to the appeals referee as far in advance of the hearing date as possible. You must send copies of these documents to Job Service and the opposing party. Failure to provide copies to the opposing party may result in the document not being permitted at the hearing. Documents submitted too close to the date of the hearing may not be received in time for the hearing and therefore may not be allowed by the referee.

You may also want to have witness(es) testify on your behalf. Witnesses should have direct, firsthand knowledge of the facts of your case. An employer should have someone testify who was present or was a participant in the actions or events that caused the claimant's separation from employment or, in the case of employer liability, should have firsthand knowledge of the employer's business. If a witness is unavailable at the scheduled hearing time, immediately notify the appeals referee.

You may request that the referee issue a subpoena to compel a witness to attend if he or she is reluctant to testify, but you must make at least one attempt to contact any potential witness and request their testimony at the hearing prior to requesting a subpoena. Documents pertaining to the case may also be subpoenaed, but you must make at least one attempt to contact your former employer or other entity and request the documents prior to requesting a subpoena.

Subpoena requests must be submitted in writing and clearly identify who/what you are requesting be subpoenaed, contact information for the person you are requesting be subpoenaed or for the person/entity possessing the document you wish to subpoena, and a description of what the person or document is intended to show or establish. The referee will determine whether the request is significant to the case. If a subpoena is necessary, you will not be charged the cost associated with issuing the subpoena.

The day of the hearing

The appeals referee typically schedules several hearings throughout the day, so you must be on time. Hearings are informal but are conducted in an organized manner and typically last 30 to 45 minutes. The referee will ask questions designed to bring out the basic facts of the issue under appeal.

The hearing is conducted with all parties of interest. When necessary, witnesses may also participate in the hearing process. The employee, employer, and witnesses give testimony relevant to the case under oath. Each party is given the opportunity to ask questions of the other party. Documents that are relevant to the case and support your testimony may be submitted into evidence for the referee to consider in making a decision. When all testimony is on the record, the hearing is closed, and the referee will issue a decision.

What if I need to postpone the hearing?

You are expected to arrange time off from your everyday affairs including work, vacation, doctor appointments, etc., to participate in the hearing. *Postponement requests must be submitted in writing* and are only granted for extenuating and extraordinary circumstances. The original hearing date and time will remain in effect unless the appeals referee has granted a postponement verbally or in writing. Do not submit a postponement request and assume your request will be granted.

If you do not make yourself available at the scheduled time, testimony will be taken from those who do respond. The referee will base the decision on the testimony and evidence given at the hearing. Because your testimony is very important, if you do not respond, you are jeopardizing your opportunity to present testimony and evidence regarding your case and, thus, you are putting yourself at a great disadvantage.

What if I do not want to proceed with my hearing?

To withdraw your appeal, you must submit your request in writing or call the appeals unit toll free at 1-800-351-9098 from 8:00 a.m. to 5:00 p.m. CT, Monday through Friday.

Written decision

Following the conclusion of the hearing, you will receive the referee's written decision within 7 to 10 calendar days. Take special notice that your rights to further appeal are outlined in the referee's decision.

Further appeal rights

If you find the referee's decision unfavorable, you may request a bureau review of the decision. A bureau review is a review of the record as it currently stands, by the Executive Director of Job Service North Dakota.

In the case of an unemployment insurance benefits appeal, the review must be filed within 12 days of the date of mailing of the referee's decision. In cases involving an unemployment insurance tax matter, the request for review must be filed within 15 days of mailing of 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 information and "How To" videos explaining the unemployment insurance requirements are available in the Resources – Unemployment for Individuals section on jobsnd.com.

AUDITS, OVERPAYMENTS AND FRAUD

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 may seek prosecution in cases where benefits were received fraudulently or by misrepresentation.

PENALTY FOR FRAUD

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

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.

It is important that you give accurate information to Job Service North Dakota when requested as the claim can be reviewed for up to two years if misrepresentation or fraud is involved.

For additional information click on the "How To" video, A Claimants Guide to Overpayments

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.
Repayments and installment payments are handled by Job Service's collection department. You may be released from liability if Job Service finds the repayment to be contrary to equity and good conscience. Call 701-328-2818 (TTY: 800-366-6888) to discuss repayment options and/or to begin the waiver of overpayment process.

Report Unemployment Fraud

Additional information and "How To" videos explaining the unemployment insurance requirements are available in the Resources – Unemployment for Individuals section on jobsnd.com.