

# GOVERNMENT OF THE DISTRICT OF COLUMBIA

## Department of Employment Services

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### **Frequently Asked Questions (FAQs) for Claimants**

#### **1. How do I file an Unemployment Insurance claim with the District of Columbia?**

District of Columbia Unemployment Insurance claims for benefits can be filed online, by phone, or in person:

**ONLINE:** [www.dcnetworks.org](http://www.dcnetworks.org) or [www.ui.dc.gov](http://www.ui.dc.gov)

**BY PHONE:** (202) 724-7000

**IN PERSON:** District of Columbia American Job Centers

#### **2. Who can receive Unemployment Insurance benefits in the District of Columbia?**

Any worker who is unemployed or who is working less than full-time may file a claim for Unemployment Insurance benefits. Claim applications may be filed online, by phone, or at any American Job Center located in the District of Columbia. A full listing of American Job Center locations can be found at [www.ui.dc.gov](http://www.ui.dc.gov).

Initial claims against the District of Columbia may also be filed at a State Workforce Agency in any of the 50 states, Puerto Rico, and the Virgin Islands. These are called "interstate" claims. An example of an interstate claimant would be an individual who relocated to the state of New York after being laid off from employment in the District of Columbia. That individual would file an unemployment claim against the District of Columbia through a State Workforce Agency in the state of New York or online at [www.ui.dc.gov](http://www.ui.dc.gov).

#### **3. What are the eligibility requirements for Unemployment Insurance benefits in the District of Columbia?**

To be eligible for Unemployment Insurance benefits, you must meet the following wage requirements:

- Work must have been performed in the District of Columbia within the base period.
- Wages must be reported in at least two quarters of the base period.
- At least \$1,300 in wages must be reported in one quarter of the base period.
- At least \$1,950 in wages must be reported for the entire base period.
- Total base period wages must be at least 1.5 times the wages in the highest quarter or be within \$70 of that amount. For example, an individual has total base period wages of \$5,000, with \$3,500 in the highest quarter and \$500 in each of the other three quarters. This individual would not be eligible, because total base period wages of \$5,000 is not at least 1.5 times the wages in the high quarter ( $1.5 \times \$3,500 = \$5,250$ ), nor is it within \$70 of that amount.

In addition to the wage requirements, you must also meet the following requirements:

- Must be unemployed through no fault of your own.
- Available for work; i.e. ready and willing to accept work considered suitable based on past training, education, or experience.
- Physically able to work; you may not collect benefits while sick, injured, or disabled.
- Actively seeking work, using methods that are customary for the occupation.
- Conduct two new job searches each week. Periodically, you may be required to report to an American Job Center to show proof of your work search activities.
- Not receiving Unemployment Insurance benefits from another state.

#### **4. What is the “base period”?**

The base period is a 12-month period that is determined by the date the claim is filed. The wage calculation used to determine the base period is defined as standard and alternative. All claims are initially computed for monetary eligibility using the standard base period. The standard base period uses the first four (4) of the last five (5) completed calendar quarters immediately preceding the effective date a claim is filed. If a claim fails to meet the monetary wage requirement to establish a standard base period claim, an alternative base period calculation is used. An alternative base period calculation uses the last four (4) completed calendar quarters immediately preceding the effective date from when a claim is filed. If neither base period calculation meets the wage requirements to establish a weekly benefit amount, a claim will not be monetarily eligible.

#### **5. What information must I have before filing for Unemployment Insurance benefits with the District of Columbia?**

To begin the filing process for DC unemployment benefits, you will need the following information:

- Social security number.
- Last 30-day employer’s name, address, telephone number and dates of employment.
- Alien Registration Number if you are not a US Citizen.
- DD-214 Member Copy 4 if you are Ex-Military.
- Standard Form 8 or Standard Form 50 if you are a former federal employee.
- Severance Pay Information (only applicable if you did or will receive severance pay).
- W-2 Forms and/or recent pay stubs.
- You may be required to provide a physical copy of your social security card and a government-issued photo identification card.

#### **6. Why have I been disqualified or held ineligible for Unemployment Insurance benefits?**

You may be disqualified from receiving benefits or held ineligible for any of the following reasons:

- Voluntarily leaving your last (30-day) employer without good cause connected with the work.
- Being discharged by your last employer for gross misconduct that is supported by evidence.

- Being discharged by your last employer for other than gross misconduct.
- Refusing to apply for or accept suitable work without good cause.
- Participating in a labor dispute other than a lockout.
- Being physically unable to work or unavailable for work.
- Failing to report as directed.
- Failing to attend a training course recommended by the Department of Employment Services (DOES).
- Lacking authorization to work in the United States.
- Having reasonable assurance of continuing employment, where the employer is an academic institution or a sports team.
- Having an active fraud disqualification due to unreported earnings.
- Not being considered partially unemployed.

**7. Will I still receive benefits if my employer files an appeal of my Unemployment Insurance claim?**

If a separation determination issued by DOES is decided in your favor, you will be qualified for benefits. You will continue to receive weekly benefits, provided all other eligibility criteria are met. Your employer is entitled to appeal the Determination to the Office of Administrative Hearings (OAH), and a formal administrative hearing will be held. You and your employer will be given the opportunity to present evidence, relevant testimony, call witnesses, and seek legal representation at the hearing. If the outcome of the hearing is in your favor, you will retain the benefits that you have received. If the outcome of the hearing is favorable to your employer, you will be required to repay all or part of those benefits.

**8. What happens if I receive an Unemployment Insurance benefit overpayment, or certify for benefits to which I am not entitled?**

If you are determined to have received benefits to which you are not entitled, you will receive a written notice of determination of overpayment that will include the amount overpaid and the reason for the overpayment. Individuals who are overpaid are liable for full repayment to the District Columbia. Repayment may be made either in a lump sum or in agreed upon installments. Future unemployment benefits due may also be withheld to satisfy outstanding overpayments. If repayment is not made, legal action will be taken to collect the overpayment.

Some of the most common reasons for overpayments are the following:

- Failure to report earnings.
- Failure to stop certifying for benefits after returning to full-time work.
- Incorrectly reporting earnings, for example, net earnings, instead of gross earnings.
- Failure to report pensions.
- Back pay award: an employee is restored to work with back pay; therefore, an overpayment of unemployment benefits occurs for the weeks in which unemployment benefits were received. If an employer makes a back pay award to you and you received benefits during the same period covered by the back pay award, then the employer is required by law to withhold from the back pay award the amount equal to the unemployment benefits paid.

- A decision by OAH or the DC Court of Appeals which overturns a previous determination of eligibility or entitlement to benefits.
- Continuing to file for Unemployment Insurance benefits after a return to full-time work.
- Adjustments to your weekly benefit amount or base period wages.

**PENALTY FOR FRAUD:** As federally mandated by the U.S. Department of Labor, effective October 1, 2014, all unemployment compensation payments made on or after October 21, 2013 that were determined by the Agency to be fraudulent will be assessed a monetary penalty of 15%. This 15% penalty is to be paid in addition to the actual amount of the fraudulent overpayment.

**9. If I am currently receiving unemployment benefits, will my weekly benefit amount increase after October 1, 2016?**

If you are currently receiving unemployment benefits, your weekly benefit amount may increase after October 1, 2016, if you meet the District of Columbia's new monetary eligibility requirements for unemployment insurance benefits.

**10. How will I know if I meet the new monetary eligibility requirements for a higher weekly benefit amount?**

If you meet the new monetary eligibility requirements for a higher weekly benefit amount, you will receive a monetary redetermination letter in the mail indicating the new weekly benefit amount. If you do not meet the new monetary eligibility requirements, then you will receive a letter in the mail indicating your weekly benefit amount will remain the same.

**11. If I filed my claim on or before October 1, 2016, and the issue on my claim is resolved after October 1, 2016, will my weekly benefit amount increase?**

If you are found eligible to receive benefits after October 1, 2016 on the claim you filed on or before October 1, 2016, your weekly benefit amount may increase if you meet the new monetary eligibility requirements for a higher weekly benefit amount.

If you meet the new monetary eligibility requirements for a higher weekly benefit amount, please refer to **question #10** for more information.

**12. Why am I not entitled to the \$425 maximum weekly benefit amount?**

In order to qualify for the new maximum weekly benefit amount, the wages in the highest quarter of your base period must be \$11,050 or higher.

**13. Will waiting to file a new claim on or after October 2, 2016 affect my monetary eligibility?**

If you wait to file your claim on or after October 2, 2016, this may affect your monetary eligibility.

**14. Will waiting to file a new claim on or after October 2, 2016 affect my weekly benefit amount?**

Yes, if you decide to wait until October 2, 2016 or after to file a claim to see if you are eligible for the \$425 maximum weekly benefit amount, then this may affect your weekly benefit amount.

**15. How is my weekly benefit amount calculated?**

Your weekly benefit amount is calculated by taking the highest quarter of wages in your base period and dividing it by 26.

**16. Will the amount of weeks I receive unemployment benefits change on October 1, 2016?**

If you are currently receiving unemployment benefits as of October 1, 2016, the amount of weeks of unemployment benefits you receive may increase; however, your weekly benefit amount may differ for the additional weeks of benefits you receive.

If you file a new initial claim on or after October 2, 2016, you will receive 26 weeks of unemployment benefits.

**17. I reopened my claim or filed an additional claim on or after October 2, 2016. Why am I not entitled to the \$425 maximum weekly benefit amount?**

In order to qualify for the new maximum weekly benefit amount, the wages in the highest quarter of your base period must be \$11,050 or higher.

**18. I filed my claim on or before October 1, 2016, but I did not become monetarily eligible until October 2, 2016 or after. Why am I not entitled to the \$425 maximum weekly benefit amount?**

In order to qualify for the new maximum weekly benefit amount, the wages in the highest quarter of your base period must be \$11,050 or higher.

**19. How much will I receive in a partial payment when I report my gross earnings?**

A. To determine the weekly benefit amount you will receive if you are working part-time on or before October 1, 2016, use the following formula:

- Add \$20 to your weekly benefit amount;
- Subtract eighty (80) percent of your gross weekly wages

The remainder, rounded down, is your reduced weekly benefit amount.

**For example:** your weekly benefit amount is \$200, and your gross earnings for the week are \$100. Add \$20 to your weekly benefit amount ( $\$200 + \$20 = \$220$ ). Subtract eighty (80) percent of your \$100 in gross earnings, which is \$80. The remainder is \$140 ( $\$220 - \$80 = \$140$ ). Your reduced weekly benefit amount is \$140.

B. To determine the weekly benefit amount you will receive if you are working part-time on or after October 2, 2016, use the following formula:

- Add \$50 to your weekly benefit amount;
- Subtract sixty-six (66) percent of your gross weekly wages

The remainder, rounded down, is your reduced weekly benefit amount.

*For example:* your weekly benefit amount is \$200, and your gross earnings for the week are \$100. Add \$50 to your weekly benefit amount ( $\$200 + \$50 = \$250$ ). Subtract sixty-six (66) percent of your \$100 in gross earnings, which is \$66. The remainder is \$184 ( $\$250 - \$66 = \$184$ ). Your reduced weekly benefit amount is \$184.

**NOTE:** All earnings from work, including self-employment, must be reported on your weekly claim for benefits. You must report gross earnings (before any deductions for taxes, health benefits, etc.). Earnings must be reported for the week in which the work was actually done, regardless of when you are paid. If you do not know the actual amount of your wages, provide an estimate by multiplying your hourly wage by the number of hours worked each week. If after receiving your check, you discover that your estimate was incorrect, contact our Call Center at 202-724-7000. *For example:* If you worked 15 hours during the week, and you are paid \$15, your gross earnings would be \$225 (15 hours X \$15/hour = \$225 gross earnings).

If you are working full-time (on a temporary, on-call, or permanent basis), you are not unemployed. Therefore, you are not eligible for benefits, regardless of the amount of your gross weekly earnings.

Failure to report your wages may result in a disqualification and an overpayment, and it could result in criminal prosecution and/or possible incarceration. Please refer to **question #8** regarding benefit overpayments.

**20. If I performed work during the week, do I still have to provide two job searches?**

If you performed part-time or temporary work, including self-employment, you must still provide two new job searches per week.

If you are working full-time, you are NOT unemployed. Therefore, you are not eligible for benefits, and you must immediately stop certifying for benefits.