

ET HANDBOOK NO. 399
INTERSTATE ARRANGEMENT FOR COMBINING EMPLOYMENT AND WAGES

SECTION II - RIGHTS AND RESPONSIBILITIES OF
THE COMBINED WAGE CLAIMANT

1. Rights of a Combined-Wage Claimant. An unemployed individual who has covered employment and wages in more than one State has the right to combine such wages and employment in the base period of one State subject to the following restrictions:

a. An individual may not elect to file a combined-wage claim if the individual has established a benefit year under any State or Federal unemployment compensation law and the benefit year has not ended and there is an available benefit balance.

b. For the purpose of this arrangement, a claimant will not be considered to have unused benefit rights under a law if:

(1) rights to all benefits based on such benefit year have been exhausted;

(2) rights to benefits have been postponed for an indefinite period (see item d) or for the entire period in which benefits would otherwise have been payable; or

(3) rights to benefits are affected by the application of a seasonal restriction.

c. An individual who is eligible on the basis of a combined-wage claim in the filing State cannot file a valid interstate combined-wage claim to increase monetary entitlement. In order to file an interstate combined-wage claim, the claimant must be ineligible in the filing State.

d. A disqualification solely because a claimant is not able to work or not available for work shall not be considered an indefinite postponement.

e. An individual who has a disqualification on an existing benefit year with a benefit balance and has had sufficient employment and earnings to satisfy the requalification requirements cannot elect to file a combined wage claim. The individual must continue to file claims against the existing benefit year until benefits have been exhausted or are otherwise unavailable as a result of an indefinite postponement or application of a seasonal restriction.

ET HANDBOOK NO. 399
INTERSTATE ARRANGEMENT FOR COMBINING EMPLOYMENT AND WAGES

SECTION II - RIGHTS AND RESPONSIBILITIES OF
THE COMBINED WAGE CLAIMANT

f. An individual who elects to file a combined-wage claim must use all employment and wages from all States that are available for use during the base period of the paying State.

g. The claimant may not select a paying State but must accept the paying State as defined under 20 CFR 616.6(e) (Appendix A.6.(e)).

h. If the paying State or any transferring State makes any decision, monetary or nonmonetary, adverse to a combined wage claimant's interest, such State must provide the claimant with a written determination and the right to request reconsideration or an appeal in accordance with the law of such State.

i. The claimant has the right to withdraw from a combined-wage claim any time before the monetary determination of the paying State becomes final. The claimant's decision to withdraw need not be supported by reasons, provided that (1) any benefits paid under the combined claim are repaid in full, or, (2) the claimant authorizes the State(s) against which a claim is being filed to withhold and forward to the former paying State a sum sufficient to repay such benefits.

j. An individual may not claim extended benefits if eligible to file a new combined-wage claim.