Claimant Guide:

Your Rights & Responsibilities When Claiming Unemployment Insurance Benefits

KENTUCKY EDUCATION & LABOR CABINET
Office of Unemployment Insurance
PAM-UI-400/ES-513
(Rev. 01/23)

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IMPORTANT: This document contains information about your rights, responsibilities, and/or benefits. It is important that you understand the information provided in this document. Call 502-564-2900 for translation assistance and for the Telecommunications Relay Service (TRS) dial 711.

IMPORTANTE: Este documento contiene información importante sobre sus derechos, responsabilidades, obligaciones y/o beneficios de compensación por desempleo. Es muy importante que usted entienda la información contenida en este documento. Llame al número 502-545-2900 para asistencia de traducción y una mejor comprensión de este documento y para Telecomunicaciones Relay Service (TRS) dial 711.

Kentucky UI Quick Guide

A. We require your Social Security Number or alien registration number when filing a claim. Personal information is required whenever you log in, call, or contact our office about your claim.

B. All information provided on your claim should be entered by YOU and must be true and accurate. **False information or misrepresentation is considered UI fraud.**

C. File your initial claim for benefits as soon as possible after becoming unemployed or experiencing a significant reduction in hours.

D. Claimants must be unemployed through no fault of their own. Your employer will be notified that a claim has been filed.

E. All claimants must be able, available, and seeking suitable work each week in order to be eligible for benefits.

F. **You are required to seek full-time work and make at least five job search activities per week.** (See Work Search section for details and exceptions.)

G. You must report all wages earned during a week in which unemployment is requested. Failure to report earnings is considered UI fraud.

H. Claims must serve a Waiting Week. Benefits are not paid for the first week that you are eligible.

I. The U.S. Postal Service does not forward UI documents. Please keep your mailing address, phone number, and email address updated through the online claim portal.

J. You are responsible for requesting your benefits on time. Benefits are claimed every two weeks. Your first benefit request will be 13 days after the date you file the claim. You cannot request sooner than 13 days.

K. If you receive a Notice of Determination that you are not payable for benefits, you may appeal the decision.

L. You should continue to request your benefits while your claim is in the fact-finding phase or during the appeal process.

Table of Contents

Introduction 6
- Reading the Claimant Guide 6
- What is Unemployment Insurance? 6
- Who is Eligible? 6

Filing a Claim 7
- Filing Options 7
- What Information You Will Need to File a Claim 7
- Filing a Claim Online 8
- Identity Verification (ID.me) 8
- New Users 9
- Existing Users 10
- Personal Identification Numbers (PIN) 10
- How to File a Claim Online 10
- System Availability 12
- Browser Requirements and Time-Out 12
- Completing a Claim by Telephone 12
- After Your Claim is Filed 12
- Monetary Determination 13
- Weekly Benefit Amount (WBA) 13

Duration of Benefits (Number of Available Weeks) 14

Base Period 15
- What is a Base Period? 15
- Monetary Reconsideration 15
- Wages in Other States (Combined Wage Claims) 16

State and Federal Claims 17
- If You Live Outside of Kentucky (Interstate Claims) 17
- Military Claims 17
- Federal Civilian Claims 17

Requesting Your Benefits 18
- Bi-Weekly Benefit Request 18
- When to Request Benefits 18
- How to Request Benefits 18
- Claiming Benefits by Phone 19
- Payment Options 20
- Direct Deposit 20
- UI Debit Card 20
- If You Miss a Request (Backdating) 20

Weekly Eligibility Requirements 21
- Waiting Week 21
- Ability Requirements 21
- Availability Requirements 21
- Seeking Work 21

Work Search Requirements 22
- Work Search Activities 22
- Work Search Exceptions 22
- Verification and Documentation 22
- Offers of Suitable Work 24

Job Separation Requirements 25
Unemployed Through No Fault of Your Own 25
Employment Information 25
Temporary Agencies 25
Employer Notification 25
Common Reasons You May Not be Qualified Based on Job Separation 25
Notice of Determination 25
Additional Job Separations 26
Deductible Income 26
Earnings/Income 27
Tax Withholdings 27
Separation Pay and Vacation Pay 27
Pension and Retirement 28
Fraud and Misrepresentation 29
Overpayments 29
Appeal Rights 30
Appeals to the UI Appeals Branch 30
Appeals to the UI Commission 30
Appeals to Circuit Court 31
Additional Information 32
Keep Your Information Updated 32
Cancelling or Ending a Claim 32
Quality and Wage Audits 32
Employers Who Have Filed Mass Claims (E-Claims) 32
Work Share Program 33
Common Issues & Additional Resources 34
Updating Personal Information 34
Account Summary 34
Forgot Password 34
Amend Claim 34
Payment Method 35
Lost or Stolen Debit Cards or Checks 35
Backdating of Claim or Payment 35
Document Upload Instructions 35
Benefit Extensions Beyond Regular UI 36
KY Unemployment Insurance Tax Form 1099-G 36
Identify Theft Issues 36
Reporting UI Fraud – Anonymous Tips 37
Job Assistance/ Career Center Services 37
Trade Assistance Resources 37
Additional Help 37
Helpful Video Guides 37
Records Requests 38
Requesting Your Own Records (Claimant) 38
Open Records Requests (Non-Claimants) 38
Equal Opportunity Statement 39
Glossary of Unemployment Terms 41

Introduction

Reading the Claimant Guide

This guide is meant to provide you, the claimant, with important information about Unemployment Insurance benefits in Kentucky. When filing your claim, you will be asked to certify that you have received and understand this document. **Please read it carefully**. This guide includes information about how to file a claim, who is eligible for benefits, how to request your benefits, and what to expect. For additional information or assistance, please visit our website at KCC.KY.GOV or call 502-564-2900.

What is Unemployment Insurance?

Unemployment Insurance (UI) is temporary financial assistance for people who have become unemployed through no fault of their own. Unemployment Insurance, also called unemployment compensation, is a joint program between Kentucky and the U.S. Department of Labor. Each state has its own set of eligibility requirements based on federal law. Your benefit amount is based on how much money you made during a specified period, as reported by your employer. **Workers do not pay into the UI program.** UI benefits come from employer taxes and never deducted from a worker's paycheck. Employers are notified when you file a claim and asked to provide information, however, all eligibility decisions are made by the Office of Unemployment Insurance. Eligible individuals may receive between 12 and 24 weeks of UI benefits during one benefit year. The duration of benefits depends upon the State Average Unemployment Rate at the time of filing. Traditional UI benefits are paid every other week and the maximum benefit amount is $626 per week.

To be eligible for benefits you must:

(1) Be unemployed or working less than full-time
(2) Have earned enough money to establish a valid claim
(3) Be unemployed through no fault of your own
(4) Be able to work, available for work, and looking for work

Who is eligible?

UI benefits are for individuals who are totally unemployed or who are working less than full-time while looking for full-time work. To claim benefits in Kentucky, you must have earned wages in Kentucky during your base period (see Base Period, page 15). If you have not worked in Kentucky in the last 18 months, you will need to apply in one of the states where you worked. You cannot file for benefits in Kentucky if you have a valid claim in another state.

Benefits are paid to workers who are unemployed or underemployed through no fault of their own while they are attempting to return to the workforce. You must be able to work and available for work **each week** in order to receive benefits. You must also be making a reasonable effort to find new full-time work and provide details about your job search (see Work Search, page 22).

Filing a Claim

Filing Options

You have the option to file your claim online at KCC.KY.GOV or by phone at 502-875-0442. You should file your claim as soon as possible after becoming unemployed or after a significant reduction in your hours. **Do not wait to file your claim.**

Any information you provide for you claim is subject to verification through the Social Security Administration. All information you provide must be accurate at the time you file. Your Social Security Number will be shared with other agencies, as authorized by law.

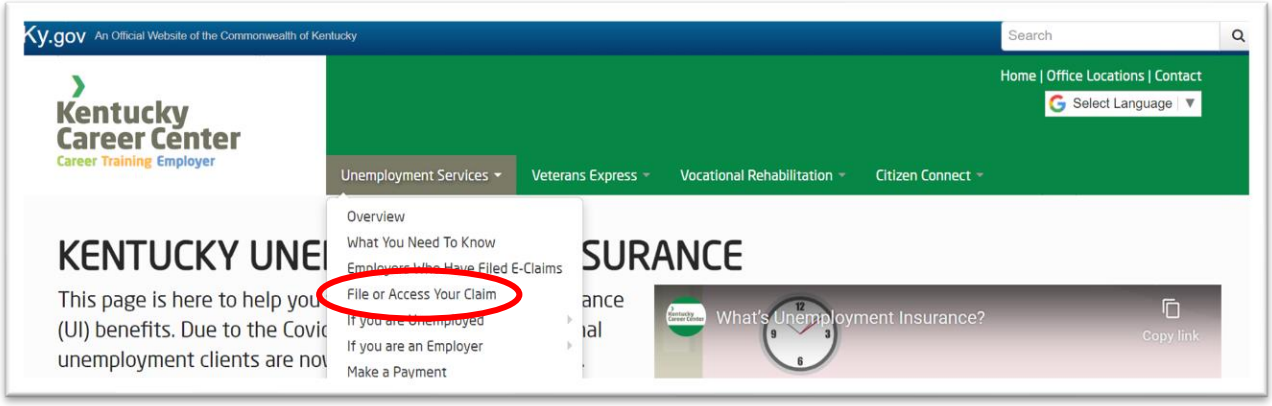
Note: There is never a charge or fee for filing for benefits through our website or by phone. Beware of predatory or fake websites that charge a fee. These websites are not affiliated with the Office of Unemployment Insurance. Official Kentucky websites end in ".ky.gov".

To File Your Unemployment Insurance Claim, You Will Need The Following:

- Personal Information:
  - Social Security OR Alien Registration Number
  - Date of Birth
  - Complete Mailing Address
  - Phone Number
  - Email Address
- Employer Information (For the last 18 months- this many include multiple employers):
  - Company Name or Name of Temporary Agency
  - Company Mailing Address
  - Company Phone Number
  - The start and end dates of your employment
  - The reason you are no longer working for that Employer
- Other Information You May Need:
  - Details about your retirement pension (if are receiving a retirement pension)
  - A list of states in which you worked (if you worked outside of Kentucky)
  - Name/Address of Temporary Agency (if you worked for a temporary agency)
  - Agency Name, Component name, Copy of your Standard Form SF8/SF50 (if you worked for the Federal Government)
  - Copy of your DD214 Member 4 (if you were in the Military)
  - Name of Contractor and Union details (if you are a member of a Trade Union)

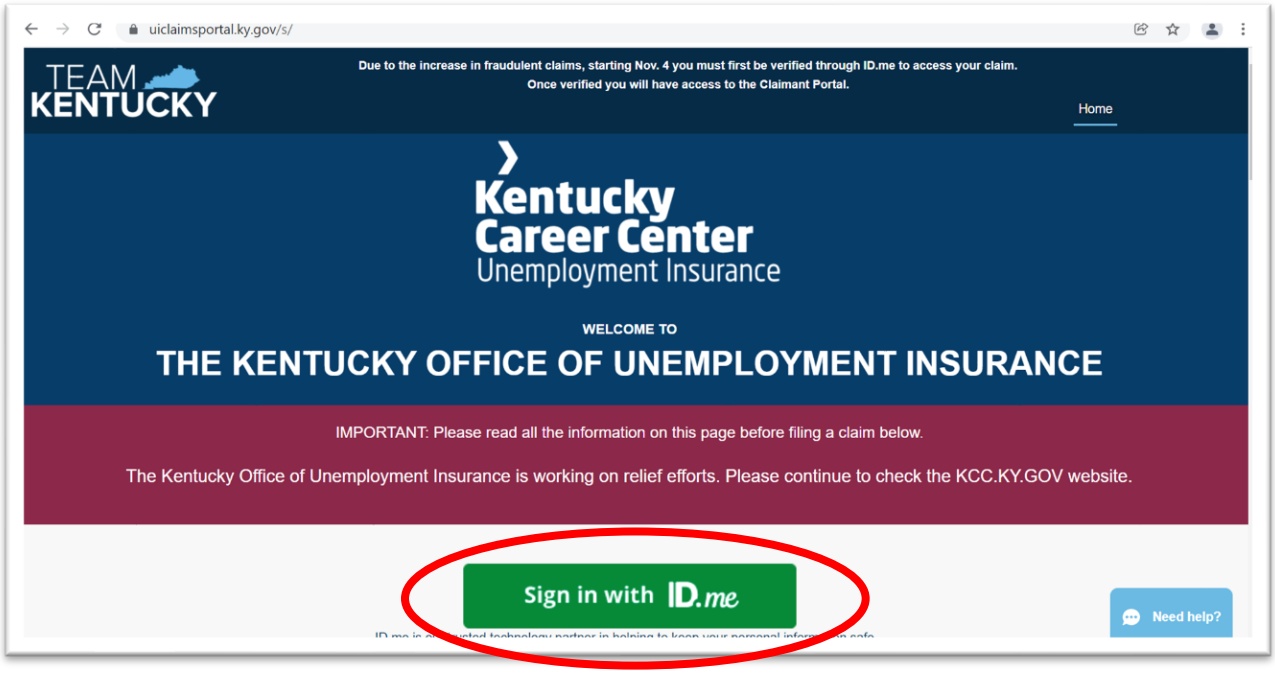
Filing A Claim Online

Online claim filing provides the benefit of filing your claim quickly from anywhere with internet access. To file a claim, visit KCC.KY.GOV. Click on "Unemployment Services" and select "File or Access Your Claim" to begin the process. This opens the Unemployment Insurance Claims Portal page. After beginning the claim process, it must be completed before midnight on Saturday.

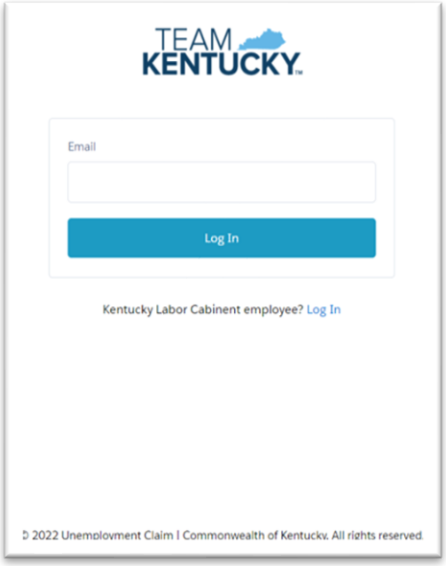


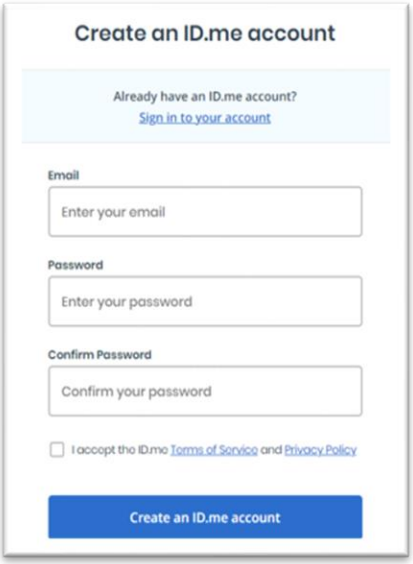
Identity Verification (ID.me)

The Kentucky Office of Unemployment Insurance has partnered with ID.me to ensure that only legitimate claimants are receiving unemployment benefits. All claimants must verify their identity through ID.me before they can create a Kentucky UI account. You will need your email address, Social Security number, a photo ID, and an additional form of identification.



You will be asked to enter your email. From there, you will need to follow the prompts to complete the verification. For additional instructions, please visit the ID.me FAQ Guide.





New Users

If you have never filed a Kentucky UI claim before, click on "Register" on the top right corner of the UI Claims Portal page. After clicking the link, you will follow the instructions to continue the registration process. You are required to provide your Social Security Number and a valid email address before you can continue. A User Registration Verification Code is sent to the email address you have provided. The email will have a subject line such as "KY User Registration Verification Code" and will come from a ky.gov email. You may need to check your "spam" or "junk" email folder.

After entering your verification code, you will be allowed to continue the registration process and provide details about your claim. You will also create a password, 8-digit PIN, and select security questions. We suggest that you write down your password and PIN and store it in a secure location. Please choose a security question and answer that will not be forgotten. For example, the city where you were born, mother's maiden name, or grandmother's maiden name. Additional regarding registration help can be found on our website via video tutorials.

Existing Users

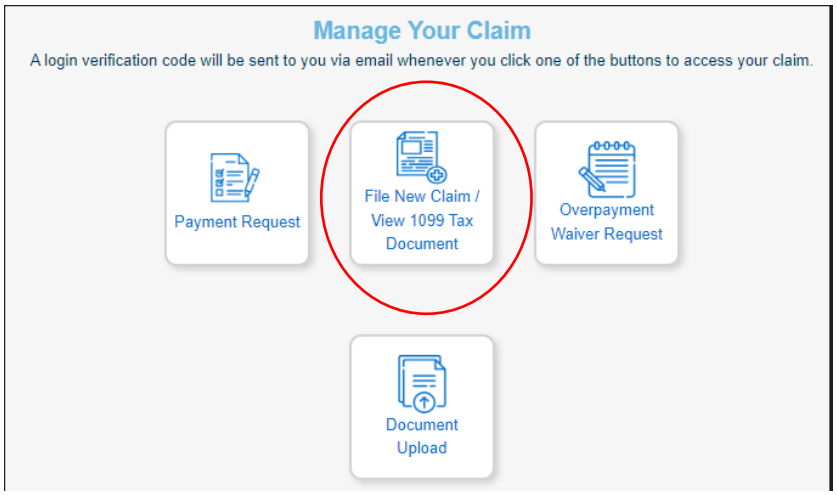
If you have previously filed a UI claim in Kentucky, then you will log in to your account by clicking "Log In" on the top right corner of the UI Claims Portal page. After clicking the logging in, you will receive a Verification Code through email. You will be required to enter an access code will each time that you request a benefit payment, file a claim, or otherwise manage your claim.

Personal Identification Numbers (PIN)

You must enter your email address, password, Social Security Number, and PIN each time that you access your claim. All users are required to use an 8-digit PIN. It is important that you remember your PIN or store it in a secure location. Do not share your PIN with others.

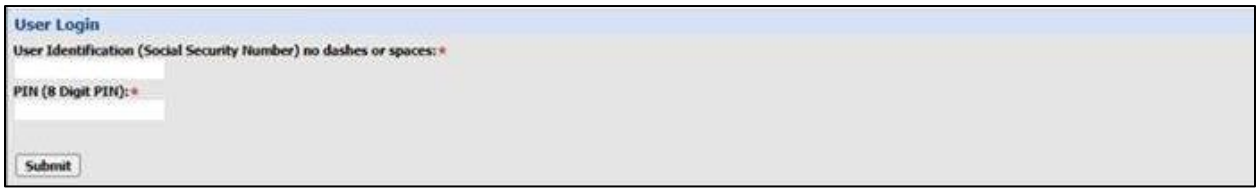
How To File a Claim Online

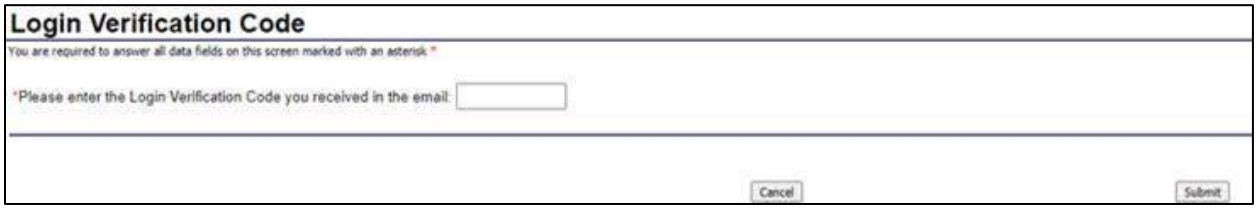
Once you have registered your account, you may file a UI claim. Visit KCC.KY.GOV, click on "Unemployment Services" and select "File or Access Your Claim". This takes you to the "Manage Your Claim" page. Click the "File New Claim" button. You will receive a Verification Code by email. You will be required to enter a verification code each time that you request a benefit payment, file a claim, or otherwise manage your claim. The verification code is sent to your email address from a ky.gov address. Be sure to check your "spam" or "junk" folder.

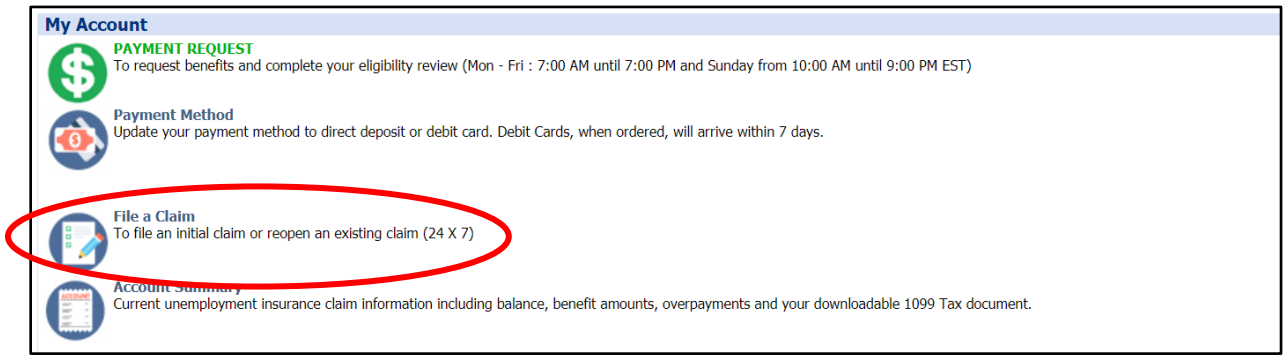


After clicking on the "File a Claim", you will be prompted to enter your User Login information and verification code before a claim can be filed.

The claim filing process takes approximately 30 minutes to complete, and you will receive a confirmation page once it is successfully submitted. After beginning the claim process, the claim must be completed and submitted before the end of the week (midnight on Saturday). If you do not submit the in-progress claim before midnight on Saturday, you will have to start over the following week.







System Availability

While you may log in to view claim information anytime, however the claim filing system is only available Monday through Friday from 7:00 a.m. to 7:00 p.m. and Sunday from 10:00 a.m. to 9:00 p.m. EST. The Internet claims system will be down for maintenance periodically. Notice will be given when maintenance is planned.

Browser Requirements and Time-out

We recommend using the latest version of Google Chrome, Firefox, or Microsoft Edge. Unfortunately, Safari is not compatible at this time. If you are using a computer in a public place, log off or close the browser when you are finished entering information. This helps protect your private information. The system will timeout if you are idle for 30 minutes.

Filing by Telephone

If you are unable to complete your initial unemployment claim online, please call 502-875-0442 for the Claim Filing Call Center. This phone line is dedicated to initial claim filings only and is available Monday through Friday from 7:30 a.m. to 5:30 p.m. Eastern time. You may also call toll-free 800-648-6057 for Telecommunications Relay Service.

After Your Claim is Filed

At the completion of the claim filing process, you will see a confirmation screen to verify that the claim was successfully filed and when you should request your first benefit payment. The Office of Unemployment Insurance will then determine if you have a valid claim and mail a Monetary Determination to your address on file.

Monetary Determination

After your claim is filed, the UI system will determine if you have enough earnings in your base period to establish a valid claim. You will receive a document in the mail called a "Monetary Determination" a few days after you file an initial claim. The Monetary Determination will inform you whether your claim is monetarily valid and, if valid, the maximum benefit amount that you may receive per week. **Note: The Monetary Determination is not a guarantee that you will receive benefits but tells you how much you may receive IF YOU MEET ALL QUALIFICATIONS.**

Weekly Benefit Amount (WBA)

Weekly Benefit Amount (WBA) means the maximum amount of benefits you are eligible to receive each week that you request UI benefits. The WBA is calculated based on the amount of wages that you earned during your base period. The basic benefit calculation is 1.1923% of your base period wages. The WBA is locked in for the entire benefit year (52 weeks after filing). Effective July 1, 2022 the minimum rate is $39 per week and the maximum rate is $626 per week.

In some instances, your weekly benefit payment may be less than your WBA. For example, if you work and report wages, if you choose to have taxes withheld from benefits, or if a portion of your benefits go toward child support payments your actual weekly benefit payment will be less than your WBA (See Deductible Income, page 26).

Duration of Benefits

The Kentucky General Assembly enacted changes to the state's unemployment insurance program during the 2022 regular session. Beginning on January 1, 2023, new initial claims will be assigned a maximum number of UI benefit weeks. That number of benefit weeks is based on the State Average Unemployment Rate.

Claimants who quality for UI benefits on or after January 1, 2023, will receive a maximum of 12 weeks of benefits.

New unemployment claims will be locked into the maximum number of weeks available during the time the claim was established. Your number of available weeks will not increase or decrease once the claim is filed. After the maximum number of weeks have been claimed, no other regular UI benefits will be available for the remainder of the benefit year, unless there is an extension or federal program in place (see Benefit Extensions Beyond Regular UI, page 36).

Additional information and video resources are available at KCC.KY.GOV (2023 UI Changes).

State Average Unemployment Rate Of Less Than or Equal Percent	**Duration of Benefits** Weeks of Benefits Available
4.5%	12
5%	13
5.5%	14
6%	15
6.5%	16
7%	17
7.5%	18
8%	19
8.5%	20
9%	21
9.5%	22
10%	23
10.5%	24

Base Period

What is a Base Period?

The **Base Period** is a one-year period made up of four (4) calendar quarters. The Base Period is used to determine your Weekly Benefit Amount (WBA). In Kentucky, the base period is the first four (4) of the last five (5) completed calendar quarters. The wages you earned during the base period will determine if your claim is valid and your weekly benefit amount. To be considered part of your base period, your wages must have been earned in covered employment. **This does not include contract work, some types of self-employment, National Guard work, or work performed for religious institutions.**

The **Effective Date** of your claim is the first Sunday of the week in which you completed your initial claim application. For example, if you file a claim with an Effective Date anytime between January 1, 2023 and April 1, 2023, your Base Period would begin on October 3, 2021 and end October 1, 2022.

If You File Your Claim Between January 1, 2023 and April 1, 2023

Your Base Period — Effective Date

2021	2022	2022	2022	2022	2023
October November December	January February March	April May June	July August September	October November December	January February March
Quarter 1	Quarter 2	Quarter 3	Quarter 4	Not Used	Not Used

*Quarters change in the first full week of the first month of the quarter.

To have a valid claim, the wages you earned during your base period must meet all of the following requirements:

1) You must have wages of at least $1,500 in at least one quarter;
2) Wages during the base period must be at least 1.5 times the wages in your highest quarter;
3) Total wages outside of the highest quarter must be at least $1,500; and
4) Wages in the last two quarters must be at least eight times your weekly benefit rate.

Monetary Reconsideration

If you do not meet the four requirements listed above, you will receive a Monetary Determination stating that your claim is not valid. If you believe that the determination to be incorrect or that you have wages that were not considered, you can request a reconsideration. When requesting a monetary reconsideration, you must provide proof of any wages not previously considered in the form or check stubs, W-2s, or a statement from your employer. Instructions for requesting a reconsideration and providing proof of wages can be found on the Monetary Determination document you receive in the mail. The Office of Unemployment Insurance will review your request and make any required adjustments. **Please continue to request benefit payments while waiting for the reconsideration.**

Wages in Other States (Combined Wage Claims)

Workers are able to file a claim in Kentucky if any of the base period wages were earned in Kentucky. If you have worked another state in addition to Kentucky, you may be eligible for a Combined Wage Claim. That means your wages from other state(s) can be combined with your Kentucky wages to establish a valid claim. Filing a Combined Wage Claim is very simple. When filing an initial claim you will be prompted to select all of the states where you worked during the base period. You will receive a notice of your combined wage claim options in Kentucky AND in the other state(s) where you have worked. Then you will be required to choose the state where you want to pursue your claim.

State and Federal Claims

If You Live Outside of Kentucky (Interstate Claims)

Claimants who live in another state may file for UI benefits if they have wages in Kentucky. If you live outside of Kentucky, you are required to register for employment services with the state workforce agency in the state where you live. Proof of your registration must be submitted to the Kentucky Office of Unemployment Insurance within ten days of filing your claim.

Proof of registration may be submitted by email to UIinterstate@ky.gov, by fax at 502-564-5412, or through the "Document Upload" feature at KEWES.KY.GOV (for Document Upload Instructions, see page 35).

If you are a member of a Trade Union that seeks employment for its members or if you have a definite return to work date within twelve weeks of the day you file the claim, you are not required to submit proof of registration.

Military Claims

Base Period wages earned from service in the Federal Armed Forces may be used to establish a Kentucky UI claim. When filing the claim, you will be asked if you worked for the military in the last 18 months. You will also be asked to provide the Certificate of Discharge (DD Form 214) and Member 4. The Kentucky Office of Unemployment Insurance will then request information about your wages from your branch of service. In addition to all regular eligibility requirements, to use military wages in your claim, you must have been discharged from military service under honorable conditions after completing your first full term of active service. You may be eligible for benefits if you were separated prior to the completion of your first term of service, but only if the reason for early separation is approved by the U.S. Department of Defense.

Determinations of eligibility based on military service are final and cannot be appealed to the Kentucky Office of Unemployment Insurance. If you believe that the determination is incorrect, you must contact your branch of service to request reconsideration and then notify the Kentucky Office of Unemployment Insurance if the request if approved.

Federal Civilian Claims

Wages earned during the Base Period from work for the federal government in a civilian or non-military position may be used to establish a Kentucky UI claim. When filing your claim, you will be asked if you worked for the federal government in the last 18 months. You must provide a copy of your Standard Form 50 (SF-50) "Notification of Personnel Action" and Standard Form 8 (SF-8) "Unemployment Compensation Form". You should have received the forms from your federal civilian employer. If you do not have these forms, please contact the federal agency where you were employed. The Kentucky Office of Unemployment Insurance will then request information about your wages from the federal government. You will receive a Monetary Determination in the mail once the federal wage and separation information are received.

Requesting Your Benefits

Bi-Weekly Benefit Request

After your initial UI claim has been filed, you are responsible for requesting UI benefit payments. **Benefit payments are not automatic**. Failing to request your benefits on time will cause your payment to be delayed or denied. During the bi-weekly benefit request you will be asked to answer questions about your ability to work, your availability, any income that you received, and whether your job status has changed. You must answer questions truthfully.

When to Request Benefits

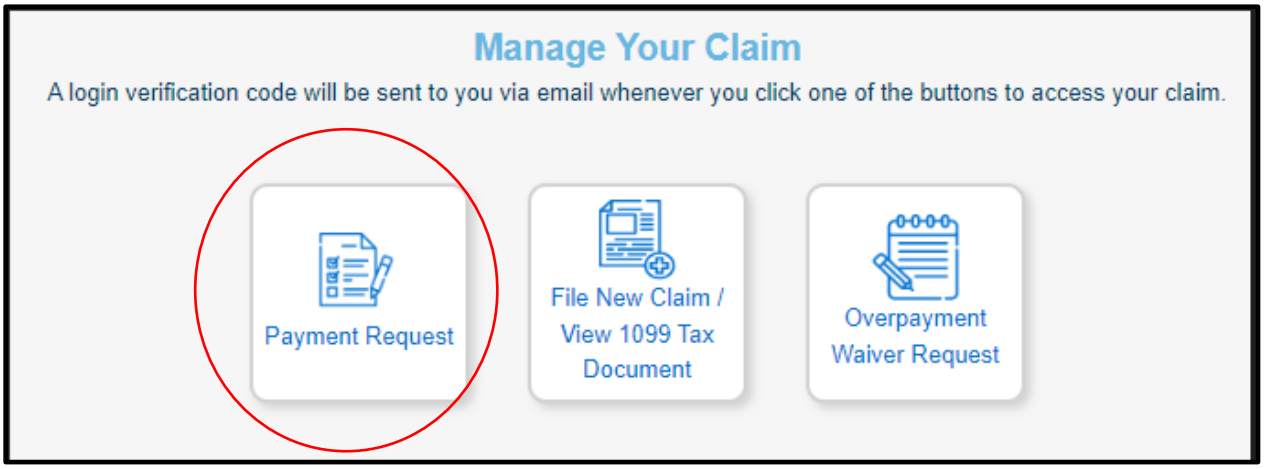
Traditional UI claims require you to **request benefits every two weeks**. You will request your first benefit payment thirteen (13) days from the day you filed your initial claim. Kentucky UI weeks run from Sunday to Saturday. When requesting benefits, you will be prompted to claim two weeks at a time. First, you will answer questions about Week 1 and then Week 2. If eligible, payment is typically received within 2-3 days after requesting benefits.

Claimants whose employers have filed on their behalf ("E-Claims") should request benefits weekly rather than bi-weekly (see Employer Filed Claims, page 32).

How to Request Benefits

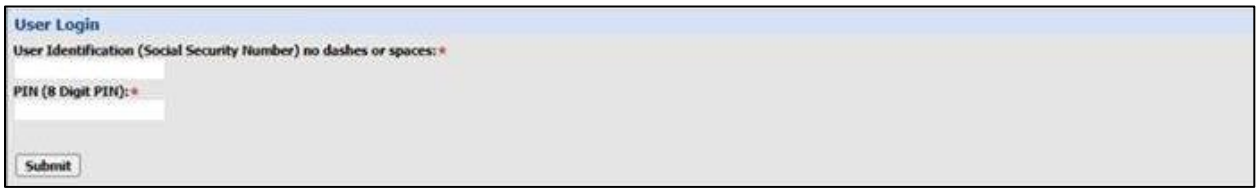
Benefits for the previous two-week period can be requested Sunday through Friday. The system is available Sundays from 10:00AM - 9:00PM and weekdays from 7:00AM - 7:00PM.

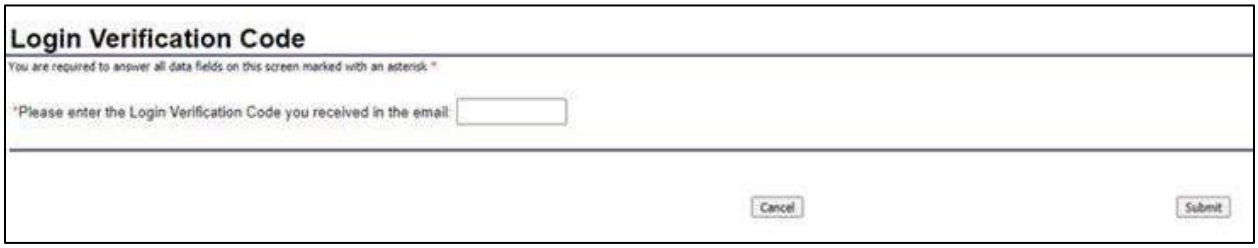
To request your benefits, access your claim at KCC.KY.GOV. Click on "Unemployment Services" and select "File or Access Your Claim". This takes you to the "Manage Your Claim" page. You will receive a Verification Code by email. You will be required to enter a verification code each time that you request a benefit payment, file a claim, or otherwise manage your claim. The verification code will be sent to your email address from a ky.gov address. Be sure to check your "spam" or "junk" folder. Click "Payment Request" to request benefit payment. (See New User information, page 9, for more information on how to register online if you have not already done so).

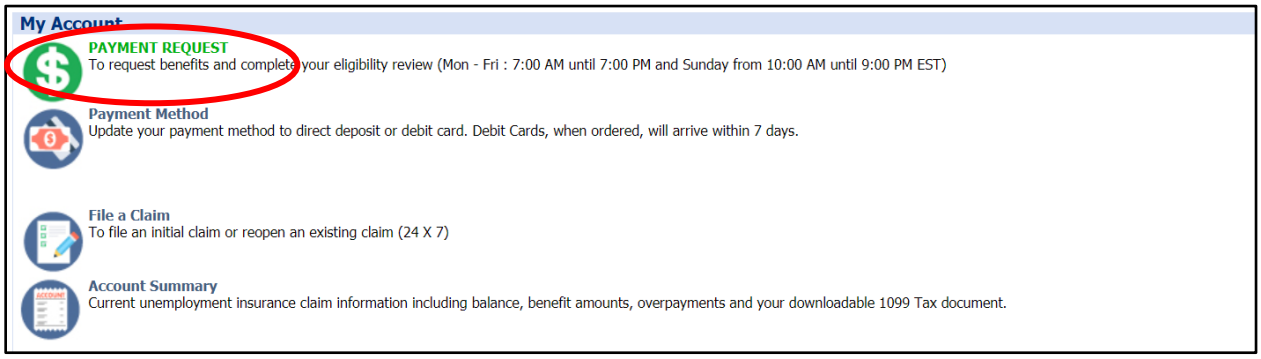


User Login

You will enter the verification code that you received via email. Then, provide your Social Security Number and PIN. After logging in, choose the "PAYMENT REQUEST" option. **Do not file a new claim unless your work status has changed or your claim has expired.**







Claiming Benefits By Phone

Only claimants who are exempt from the Work Search requirements (those who have a definite recall date within 16 weeks of the initial claim filing, are in an Approved Training Program, E-Claims, member of a union hiring hall that seeks work on your behalf) may choose to request benefits by phone in addition to requesting benefits online. To request benefits by phone, dial 1-877-3MY-KYUI or 1-877-369-5984. You will be prompted to enter your identification information and PIN. You will be asked a series of questions regarding the previous weeks. Answer all questions and wait for confirmation before ending the call. If you hang up before your request is accepted, your benefits will not be processed. You may call Sundays from 10:00AM - 9:00PM and weekdays from 7:00AM - 7:00PM. **Do not attempt to call the phone system multiple times to claim your weeks or check the status unless there was a system error and you were directed to call back later. Calling or attempting to request your benefits multiple times will not result in faster payment and may delay benefits.**

Payment Options

The Kentucky Office of Unemployment Insurance offers two safe and convenient payment method options. **You can choose to receive payment through Direct Deposit into your bank account or through a UI debit card**. If you select UI debit card, your first payment will be issued as a paper check and subsequent payments will be issued to the UI debit card. You may change your preferred payment method by accessing your online claim and selecting "Payment Method". If you do not change the payment method to Direct Deposit, the default method of payment will be UI debit card (to Change Payment Method, see page 35).

Direct Deposit

To receive payment through Direct Deposit, you will need access to a checking or saving account. You will provide information regarding the Account Holder Name, Bank Name, Routing Number, Account Number, and account type (savings/checking). The Account Holder Name must be the same as the name on your claim. It is important that you provide the correct banking information. After three attempts, you must select a different payment option.

Kentucky UI staff members are able to confirm whether you have enrolled in Direct Deposit, however, for additional security, staff do not have access to view or edit your Routing or Account Number.

UI Debit Card

The US Bank ReliaCard can be used to make purchases, get cash, and pay bills anywhere that Visa® is accepted. Funds are protected if your card is lost or stolen. If you select the "Debit Card" payment method, the card will mailed to you along with activation instructions and user information. UI benefits are added to the debit card only after your bi-weekly benefit request if you meet all UI qualifications. In other words, your Debit Card will be mailed immediately but money will not be loaded to the card until you are eligible and have requested benefits. Visit www.usbankreliacard.com for more information about the ReliaCard program or to request a replacement card.

If You Miss a Request (Backdating)

The Kentucky Office of Unemployment Insurance cannot guarantee the payment of benefits that were not requested in a timely manner. If you fail to request benefits on time, you may request the backdating of payment by contacting the UI office through phone at 502-564-2900 or through your nearest local office. You will then receive an electronic form that must be completed and returned. Benefits for the missing week(s) will only be paid if you are eligible for the weeks requested and only if you can provide good cause for not requesting benefits on time. Payment of these weeks is not guaranteed, so it is very important to request benefits on time. For additional help, see our Guide to Pay Order Forms video tutorial.

Weekly Eligibility Requirements

Eligibility

Unemployment Insurance eligibility is determined on a week-to-week basis. You must meet all requirements for each week that you request benefit payment in order to receive benefits. You will be asked questions regarding your weekly eligibility during your bi-weekly benefit request, and you must certify that all information is honest and accurate to the best of your knowledge. Eligibility questions will cover topics such as your ability to work, availability for work, income and earnings, and your job search activities.

Waiting Week

In Kentucky, all initial claims must serve a "Waiting Week". That means that benefits are not paid for the first week that you are eligible. You must claim benefits in order for the week to count as your Waiting Week. Only one waiting period must be served per claim. The waiting week does not count as one of your 12 - 24 allotted benefit weeks.

Ability Requirements

You must be physically and mentally able to work at the time the claim is filed. You must also be able to work during each week that you request benefits. If you are not able to work, you will be ineligible to receive UI benefits until you are able to work.

Examples:

- You have a medical condition that prevents you from accepting work
- You are under the care of a physician who has not released you for work
- You are seeking Social Security Disability and have certified that you cannot work

Availability Requirements

You must be available for work and actively seeking full-time work during each week that you request benefits. This means that you must look for work within your abilities and accept suitable employment if it is offered to you. If you are not available for work, you will be ineligible to receive UI benefits until you become available.

Examples:

- You do not have adequate transportation to get to work or seek work
- You do not have adequate child care or dependent care while you work
- You are on vacation or traveling and cannot accept work
- You are not legally able to work in the United States
- You have limited your hours of availability or the locations where you will accept work
- You are enrolled in a school/training program that prevents you from working full-time

Seeking Work

In addition to being able and available for work, you must also make a reasonable effort to obtain work. In most cases, you must be seeking full-time work unless you meet the criteria for work search exceptions. For more information, see Work Search, page 22.

Work Search Requirements (2023 Updates)

Work Search Activities

In order to be eligible for UI benefits, you must actively seek full-time work. The Kentucky General Assembly enacted changes to the state's unemployment insurance program during the 2022 regular session, resulting in updates to OUI's work search requirements. Prior to January 1, 2023, claimants were required to make one job contact per week. As of January 1, 2023, you will be responsible for reporting at least **five (5) work search activities** each week. Of the five work search activities, at least three (3) must be **job applications or interviews**.

Failing to meet the work search requirements will result in loss of benefits for the week(s) being claimed. Only claimants with a Work Search Exception are exempt from seeking work.

Work Search Activities	
At least 3 per week must come from this category (out of 5 total):	Remaining activities (out of 5 total):
• Formal Job Application (in person or online) • Job Interview (in person or online)	• Job Shadowing • Job Fair or Networking Event- (hosted by a state/local government or business organization) • Participating in a Kentucky Career Center program (or partner programs) training related employment or job search

Work Search Exceptions

<u>You are not required to conduct a job search if</u>:

- You are a member of a trade union who finds work for you
- You are a student in an approved training program (and have received a determination)
- You have a definite recall date within 16 weeks of your initial claim filing date
- You are on temporary leave of absence while still considered an employee
- Your employer filed a mass electronic claim (E-Claim) on your behalf

To verify that you meet the criteria, you will be instructed to provide documentation at the time you file the claim. Failure to do so will mean you are subject to work search requirements.

Claimants who are certified as being in an Approved Training Program, and making satisfactory progress, can receive up to 5 additional weeks of benefits (maximum 24 weeks). See the eligible trainer provider list for more information on available training programs.

Verification and Documentation

It is very important to keep records of all your work search activities because you will be required to provide detailed information during your bi-weekly benefit request. Work search activities are subject to verification and random audit for up to one (1) year after your claim expires.

Supporting Documents to Verify Work Search Activities		
Work Search Activity:	Information to Report:	Examples of Documentation:
1. Job Application	a. Employer Name b. Name & Title of Contact c. Contact Method d. Employer Address e. Phone, Email, Fax, Web f. Date of Submission g. Result of Application	• Copy of application confirmation (website, email, fax, text) • Copy of the completed application (signed and dated by Kentucky Career Center staff)
2. Job Interview	a. Employer Name b. Interview Date c. Position Interviewed d. Interview Method e. Interviewer Name/Title f. Phone and Email	• Documentation of the interview scheduling • Form letter signed by the employer
3. Job Shadowing	a. Employer Name b. Name/Title of Person Shadowed c. Start and End Date d. Address of Shadowing e. Position Shadowed	• Form letter to be completed by employers (includes dates, hours, etc.)
4. Job Fair or Networking Event	a. Name of Event b. Location of Event c. Date of Event d. Name of Company e. Name of Company Contact Person	• Business card from participating employer • Form letter signed by participating employer or Kentucky Career Center staff
5. Job Search Skills Workshop or Seminar	a. Name of Event b. Location of Event c. Date of Event d. Leader of Workshop (name, email, phone)	• Email and/or certification from Kentucky Career Center staff • Form letter signed by the presenter to certify participation • Screenshots from online participation
6. Employment Search Program through Kentucky Career Center or Partner	a. Host of Program b. Name of Partner Program c. Participation Method d. Date of Program e. Leader of session (name, email, phone)	• Confirmation of registration for KEE Suite • Documentation of job referral email • Form letter signed by program staff to certify participation • Screenshots from online participation

Offers of Suitable Work

Claimants for UI benefits are required to accept offers of suitable work. Failing to accept a suitable job offer will result is disqualification from receiving UI benefits. When claiming your bi-weekly benefits, you will be asked whether you refused an offer of work during the week you are claiming. Employers also have the opportunity to provide information about offers of work and refusals. If you refuse an offer of work, OUI will determine if the job was suitable and if you had good cause to refuse.

Effective January 1, 2023, you must accept an offer of work if:

- You have received at least six (6) weeks of benefits during your present period of unemployment;
- The job pays at least 120% of your Weekly Benefit Amount;
- The job is located within 30 miles of your home or is a permanent remote job; and
- You are qualified to do the job, even if you have no related experience of training

Example: If your weekly benefit amount is $300, after six (6) weeks you will be required to take any job that is within 30 miles that pays at least $360 per week.

Job Separation Requirements

In order to receive Unemployment Insurance benefits, **a worker must be unemployed through no fault of their own**. If you quit or were discharged from work, the Kentucky Office of Unemployment Insurance must determine if you are qualified to receive benefits. If your most recent period of employment lasted less than ten weeks, you must also be found qualified on your next most recent separation in order to receive benefits.

Employment Information

At the time you file your claim, you will be asked to provide details regarding your employment history and separation reason. Be prepared to provide information about your job and the reason for the job separation for all employment periods for the last 18 months. You may not choose which employers are included on the claim or which employer is charged for the UI claim. All periods of employment, no matter how brief, must be reported. "Most Recent Employer" is the employer you worked for most recently. "Next Most Recent Employer" is the employer you worked for immediately prior to the Most Recent Employer.

For the purposes of Kentucky Unemployment Insurance, "discharged" means fired, terminated, asked to resign, dismissed, let go, etc. "Discharge" is not the same as a lay-off due to a lack of work.

Temporary Agencies

If you performed work through a Temporary Agency, you should provide information about that agency or the company who is listed on your paycheck. **The client location is not considered to be your employer**. Additionally, each job assignment is considered new and separate periods of employment. Failing to report these separate periods of employment or failure to provide the correct employer name/address may delay your benefits.

Employer Notification

Your employer(s) will be notified of your claim for UI benefits and the reason you have provided for the job separation. The employer will then be given the opportunity to respond to the Office of Unemployment Insurance regarding details of the job separation. It may be necessary for UI staff to conduct a fact-finding interview if more information is needed to determine whether you are qualified.

Common reasons that you may <u>Not Be Qualified</u> based on job separation:

- You were discharged for misconduct or dishonesty;
- You were suspended for misconduct or dishonesty;
- You abandoned your job;
- You quit the job for personal reasons;
- You quit your job without good cause or did not pursue alternatives before quitting;
- You failed to maintain contact with the employer during a period of leave;
- You did not provide correct information and did not amend when requested; or
- A strike is in active progress at the location where you work.

Notice of Determination

All separation investigations will result in a written Notice of Determination. The Notice of Determination document will be mailed to both the claimant and the employer. Each document will include information about whether the claimant is qualified to receive benefits and the reason for the determination.

You should continue to request bi-weekly benefit payments while their claim is under review or in the fact-finding phase. If qualified, UI benefits will only be paid for weeks that have been requested. If not qualified, you will be notified through a written determination and given the opportunity to file an appeal. Appeal rights for both the claimant and the employer can be found on the last page of all Notice of Determination documents (see Appeal Rights, page 30).

Additional Job Separations

During each bi-weekly benefit request, you will be asked whether you have quit or been fired from a job during that week. If you experience a new job separation after you have filed the initial claim, you will be prompted by the UI system to open an additional claim and provide the details of the new job separation. The separation will be reviewed by UI staff and a Notice of Determination will be issued. Continue to request benefits while the new job separation is under review or in the fact-finding phase.

Deductible Income

Earnings/Income

It is possible for claimants to work less than full-time while receiving UI benefits. Claimants requesting UI benefit payments must report all earnings, wages, and income to the Office of Unemployment Insurance. **Failure to report wages is considered fraud**. You must report all gross wages earned during a week of unemployment at the time that you request benefit payment. You should report gross wages, or the total earnings before deductions, rather than net wages. **Wages should be reported in the week they were EARNED not the week they were RECEIVED.** Income received from all work, including self-employment or odd jobs, must be reported. Child support payments may also be deducted from UI benefits.

The amount of your weekly benefit payment may be less than expected. That could be due to the wages your earned during a week of unemployment. Eighty percent (80%) of your gross wages that you earn during a week of unemployment will be deducted from your Weekly Benefit Amount (WBA). For example, if your WBA is $400 and you earn $100, you must report earnings of $100. Eighty percent of the $100 earnings equals $80. Therefore, $80 will be subtracted from the $400 WBA and a check will be issued for $320.

Tax Withholdings

Another reason that your benefit payment might be less than your WBA is due to elected tax deductions. UI benefits are taxable income and must be reported on your income tax return. You may choose to have federal and/or state withholdings deducted from your WBA when you complete your initial claim filing. Tax withholding is optional and may be changed once per benefit year. If you choose to have taxes withheld, 10% of your benefits will be deducted for federal taxes and/or 4% will be deducted for state taxes. For information regarding KY Unemployment Insurance Tax Form 1099-G, see page 36.

Separation Pay and Vacation Pay

Payment that you receive at the time of a job separation (other than last paycheck, vacation balance, or sick leave) must be reported at the time of claim filing. The Office of Unemployment Insurance will determine if the pay is considered deductible. If the separation pay is determined to be deductible, you will receive a Notice of Determination stating the number of weeks the pay is deductible from UI benefits. Wages paid in lieu of notice of job separation will be deductible at 100% for up to four weeks. **Severance pay is not deductible from benefits. Vacation pay that is received after a job separation is not deductible.**

Pension and Retirement

At the time of your initial claim filing, you will be asked whether you are receiving a retirement pension. If yes, you will be required to provide the details of the retirement pension. The pension will be deductible from your WBA only if the employer was the sole contributor and if you worked for that employer during your Base Period (unless the services performed for that employer during the base period did not affect the worker's eligibility for or increase the amount of the pension). If deductible, you will receive a determination with the amount of pension that will automatically be deducted from your WBA. If you start receiving a retirement pension at any point during the claim, it must be reported either through your bi-weekly benefit request or by contacting the office.

Fraud and Misrepresentation

All information and answers that you provide while claiming or requesting Unemployment Insurance benefits must be personally entered by you and must be truthful. Knowingly providing false information or failing to provide information in order to obtain benefits is considered fraud. Falsification of information is punishable by fines and/or imprisonment under KRS 341.990.

False statements, misrepresentation, and/or unreported earnings can result in disqualification for up to fifty-two weeks in additional to felony charges, fines, and possible imprisonment. All benefits fraudulently received must be repaid to the Office of Unemployment Insurance. Interest will accrue on overpayments connected to fraud and there may be a lien filed against your Social Security Number. Additional lien filing processing fees may also be assessed.

Per KRS 341.415 Section 5 "In the event benefits have been paid as a result of a false statement, misrepresentation, or concealment of material information by a recipient of benefits and have not been repaid by the recipient within one (1) calendar year from the date of the first notice, interest at the rate of one and five-tenths percent (1.5%) per month or any part thereof, shall be imposed on and added to the unpaid balance each successive month." Section 6, "A recipient of benefits paid as a result of a false statement, misrepresentation, or concealment of material information by the recipient shall be assessed a fifteen percent (15%) penalty of the amount of improperly paid benefits."

To information on Reporting UI Fraud, see page 37. For Identity Theft, see page 36.

Overpayments

An overpayment may be established on a claim when it is determined that a claimant received benefits during a period that they were not eligible. If you are found overpaid, then benefits must be repaid to the Office of Unemployment Insurance. Per KRS 341.415 Income tax refunds may be intercepted in order to satisfy your repayment obligation. Non-fraud overpayments will be deducted (at a rate of 25% of the weekly benefit rate) from future benefits or arrangements can be made to repay the amount in full or through a payment plan. However, overpayments resulting from office error will only be recovered by deducting 25% of the weekly benefit rate from any future benefits (if additional benefits are claimed).

Overpayments due to fraud or misrepresentation will receive a 15% penalty in addition to the amount of overpaid benefits. Interest at the rate of 1.5% per month will be added to the unpaid balance of a fraud overpayment, beginning one year from the date of the determination. For more information regarding Fraud and Misrepresentation, see above.

Checks or money orders can be made payable to the Kentucky UI Trust Fund. You can also make a secure payment online at KCC.KY.GOV, clicking on "Unemployment Services" and selecting "Make a Payment." For payment arrangements, contact the Benefits Payment Control Office at 502-564-2387 or UIoverpayments@ky.gov.

Appeal Rights

Appeals to the Unemployment Insurance Appeals Branch

Any time a claimant is disqualified or found ineligible for benefits, a Notice of Determination will be issued by mail. Appeal rights can be found on the last page of each Notice of Determination document. **Any party who disagrees with a determination, including the employer, may file an appeal to UI Appeals Branch in writing within 30 days of the mail date of the Notice of Determination.** The appeal must include the claimant's name, last four digits of the Social Security Number, and contact information. Private postage meters are not used to determine the postmark date. If the due date of the appeal falls on a day that the office or post office is closed, the next business day will be considered the due date.

Appeals can be sent by email to UIappeals@ky.gov, by Fax to 502-564-7850, or by mail to UI Appeals Branch, 500 Mero Street, 4th Floor, Frankfort, KY 40601. An acknowledgement of receipt of the appeal will be mailed to interested parties along with additional information.

You should continue to claim benefits while your claim is under appeal. If the Referee Decision is in your favor, benefits may be paid only for the weeks properly claimed.

Any party who failed to attend the scheduled appeal hearing may, within seven (7) days from the hearing date, request a rehearing, which will be granted if the party can show good cause (787 KAR 1:110 4 (5)).

Appeals to the Unemployment Insurance Commission

An appeal to the UI Appeals Branch will result in a written Referee Decision issued by mail. UI Appeal Referee Decisions are appealable to the UI Commission. Appeal rights are included on the Referee Decision. **Any party who disagrees with the Referee Decision, including the employer, may file an appeal to the UI Commission with 30 days of the mail date of the Decision.** The appeal to the UI Commission must be in writing and include the claimant's name, last four digits of the Social Security Number, and contact information. Private postage meters are not used to determine the postmark date. If the due date of the appeal falls on a day that the office or post office is closed, the next business day will be considered the due date.

Appeals to the Referee Decision can be sent by email to UIcommission@ky.gov, by Fax to 502-564-3562, or by mail to the UI Commission, 500 Mero Street, 4th Floor, Frankfort, KY 40601.

You should continue to claim benefits while your claim is under appeal. If Commission decides is in your favor, benefits may be paid only for the weeks properly claimed.

The Commission usually decides appeals without a new hearing. It relies on evidence taken at the Referee Hearing. The Commission will not consider any evidence not introduced at the Referee Hearing. In its discretion, the Commission may hold an additional hearing.

Appeals to Circuit Court

An Order issued by the UI Commission may be appealed to the Circuit Court of the county in which the claimant was last employed. If benefits are denied by UI Commission order, **you should continue to claim benefits while your claim is under review by the Circuit Court.** If the court rules in your favor, benefits may be paid only for the weeks properly claimed. The following is an example of appeal rights for Circuit Court appeals:

"Appeal Rights

An Order of the Kentucky Unemployment Insurance Commission may**, within twenty (20) days** of the mailing date of the Order, be appealed, to the appropriate Circuit Court, under the provisions of KRS 341.440(3), which provides, "**In the absence of an appeal therefrom, the decisions of the commission shall become final thirty-five (35) days after the date they are made**."

Except as provided in KRS 341.460, **within twenty (20) days after the date of the decision of the Commission,** any party aggrieved thereby may, after exhausting his remedies before the Commission, secure judicial review thereof by filing a complaint against the Commission in the Circuit Court of the county in which the claimant was last employed by a subject employer whose reserve account is affected by such claims. Any other party to the proceeding before the Commission shall be made a defendant in such action. The complaint shall state fully the grounds upon which review is sought, assign all errors relied on, and shall be verified by the plaintiff or his attorney. The plaintiff shall furnish copies thereof for each defendant to the Commission, which shall deliver one (1) copy to each defendant. *See* KRS 341.450.

If benefits are denied by this Order, and further appeal to Circuit Court is initiated, claimants should continue to report to the local office and claim benefits. (rev/21)"

Additional Information

Keep Your Information Updated

Keep your address, email, and phone number updated in case we need to contact you. The United States Postal Service (USPS) will not forward mail from state offices, even if you have provided a forwarding address. You can keep your address, email, and phone number updated by logging into your claim at KCC.KY.GOV. It is recommended that you set up voicemail on your phone so that our office may leave if a message if unable to reach you. Email from state offices may be delivered to your "spam" or "junk" folder.

Cancelling or Ending a Claim

There is no provision in Kentucky for cancelling an Unemployment Insurance claim after it is filed. The only exception is for claimants who also qualify for a claim in another state and wish to pursue benefits in the other state prior to receiving benefits from Kentucky.

If you no longer wish to pursue the claim all you need to do is skip your bi-weekly benefit request. In other words, you would not continue requesting benefits.

If you find new employment or return to previous full-time employment, you can report that you have returned to work at the time you claim your bi-weekly benefits. The system will ask if you have returned to full-time work during the week in questions and you will confirm that you have returned to work. You may request benefits for weeks in which you are unemployed, however, once you begin full-time employment you are no longer eligible for benefits. **You may not continue to request benefits while working full-time but waiting for your first paycheck.**

Quality and Wage Audits

Claims are randomly sampled for quality control and benefit audits. You may receive a notification from the Office of Unemployment Insurance indicating that your claim was selected for an audit in which your claim is reviewed for accuracy. Please respond immediately to request for information to avoid the possibility of overpayment or delay of future benefits. Employer "New Hire" records may also be crossed-referenced with UI records to ensure that claimants have not received UI benefits after returning to full-time work.

Employers Who Have Filed Mass Claims (E-Claims)

If you have been temporarily laid-off from your job and your employer has submitted a mass Unemployment Insurance claim (E-Claim) on your behalf, you will receive a letter in the mail with the details of your benefits and how to request payment. You will need to request your **weekly** benefit payment between Sunday and Wednesday for each week that you are laid-off. Claimants who are part of mass E-claims are not required to perform a work search or seek new employment.

Work Share Program

Kentucky has a new Work Share Program that provides employers with an alternative to layoffs. The Kentucky Office of Unemployment Insurance developed this voluntary program in accordance with the provisions of the Unemployment Insurance Sustainability Act of 2022 to help employers and employees withstand business slowdowns that would normally lead to layoffs.

The employer applies to the program on behalf of employees. Qualified employees will receive both wages and unemployment benefits if their employer's application for the Work Share Program is approved. Approval is good for a twelve-month period. The Work Share Program does not replace the E-Claim option for employers.

For additional information, please visit KCC.KY.GOV or contact our office at uieclaims@ky.gov.

The Work Share Programs allows employers to:

- Supplement employee wages lost as the result of reduced work hours with partial unemployment benefits.
- Reduce normal weekly work hours for employees in affected unit of a business by at least 10 percent but not more than 40 percent.
- Affect Group means two (2) or more employees designated by an employer to participate in a work share plan.
- Subgroup means a group of employees which constitutes at least 10 percent of employees in an affected group.

Common Issues & Additional Resources

Updating Personal Information

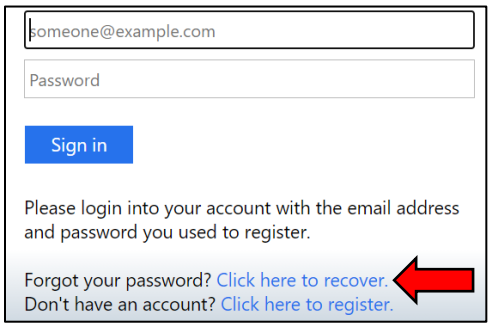
You may update your personal information, such as address, phone, and email, by logging into your online claim. Visit KCC.KY.GOV and click on "Unemployment Services", then select "File or Access Your Claim". Log in to your claim, enter a User Log In Verification Code, then click on the "Manage Account" option. Next, enter your Social Security Number and the 8-digit PIN. Once you are logged in, you will select "Profile Update" in the top right corner of the screen. Review your current personal information and click the "Update Profile" button if changes are needed and follow the instructions on the screen. For name changes, you must contact 502-564-2900 and you will be asked to provide supporting identity documentation.

Account Summary

Your Account Summary is available by logging in to your claim online. The Account Summary page allows you to view your Claim Status, Weekly Benefit Amount, Payment Method, and your Payment Record, among other important claim information. To view your Account Summary, visit KCC.KY.GOV and click on "Unemployment Services". Then select "File or Access Your Claim". Log in to your claim, enter a User Log In Verification Code, then click on the "View Payment Activity" option. Once you are logged in, you will select "Account Summary" in the top right corner of the screen.

Forgot Password

If you have forgotten your claim password, visit KCC.KY.GOV and select "File or Access Your Claim" under "Employment Services". On the Log In screen, you will see a link to "Forgot Your Password?" You will be prompted to enter your Username and Social Security Number.



Amend Claim

If you fail to provide complete and/or accurate information, you may be directed by the Office of Unemployment Insurance to amend your claim. To "amend" the claim means to provide updated and correct information so that your claim can be processed. Claims that must be amended will receive notice by mail, email, or phone. Failure to complete the required forms within ten (10) days of the mail date of the form may result in denial or delay of benefits.

Change Payment Method

You can choose to receive payment through Direct Deposit or UI Debit Card. If you do not enroll in Direct Deposit, you will receive your first payment as a paper check and then be issued a debit card (US Bank ReliaCard). The card will be mailed to your address on file. For more information regarding Payment Options, see page 20. You may change your method of payment by logging into your claim and selecting "Payment Method". If you change your Method of Payment after a payment has been issued, the change will become effective the next time you request benefit payment. Benefits are loaded to UI debit cards only after a successful benefit request.

Lost or Stolen Debit Cards or Checks

Visit www.usbankreliacard.com to report a lost or stolen UI debit card.

You may find out when a check was mailed by viewing your online Account Summary or by calling 1-877-369-5984. If the UI system indicates that your check was MAILED, but you have not received it, you may report it as lost or stolen after 14 days. **Please keep your mailing address up to date. The U.S. Postal Service will not forward UI benefit checks.** Note: Payments via paper check are no longer an option as of June 15, 2021.

Backdating of Claim or Payment

The Kentucky Unemployment Insurance Office cannot guarantee the payment of benefits that were not requested in a timely manner or for weeks prior to the week you filed the initial claim. If you fail to file a claim or request benefits on time, you may request Backdating by calling 502-564-2900 or contacting your local office. You will then receive an electronic form that must be completed and returned within ten (10) days. Benefits for the missing week(s) will only be paid if you are eligible for the weeks requested and only if you can provide good cause for not requesting benefits on time. For more information on how to Request Bi-weekly Benefits, see page 18.

Document Upload Instructions

You may be required to submit documentation to support your claim or verify identify. For example, if you served in the Armed Forces or worked for the Federal Government or Postal Service you will need to submit your Separation Form SF8/SF50 or DD214 Member 4. To upload, log into your claim by visiting KCC.KY.GOV and click on Unemployment Services, then select "File or Access Your Claim". Once you are logged in and have entered your verification code, SSN, and PIN, you will select "Document Upload" on the claim home screen. You may upload relevant documents in .jpg, .pdf, .tif, .eps, or .pict format. The file cannot exceed 5MB in size. Click the "Add Document", select the Document Type, Attachment Name, and any Comments you wish to add and submit. Your document will automatically become available for UI staff to review.

Benefit Extensions Beyond Regular UI

Regular UI claims contain between 12 and 24 weeks of benefits to be paid within one (1) year of filing. Extensions or additional benefit programs (such as EB, EUC, PUA, etc.) are separate from regular UI benefits. Extension programs are occasionally enacted by federal/state government, with the approval of the General Assembly, during periods of economic downturns. **Benefit extensions are in no way guaranteed or implied and are subject to change.** You will be notified through our website and/or mail if extended benefits become available during the time you are unemployed or otherwise eligible.

KY Unemployment Insurance Tax Form 1099-G

Unemployment Insurance benefits, and benefits paid under all program types, are taxable and must be reported on your income tax return. The Office of Unemployment Insurance will report the total amount of your benefits for the calendar year to the Internal Revenue Service (IRS) and will provide you with an annual statement (Form 1099-G). Your annual statement will be mailed to you no later than January 31st of each year. This tax document will also be available on your online profile for easier access. Please be sure to keep your address up to date so we can mail you this important document.

The 1099-G will reflect all payments processed to you during the most recent calendar year (January – December). Remember, payments are reported for the year they were paid, not the year they were claimed. You can check your payment history online at KCC.KY.GOV for the exact amount processed for each week that benefits were paid. To learn more information about the 1099-G, including links to the IRS website, visit the 1099-G Frequently Asked Question document on the KCC.KY.GOV website.

After viewing your payment history, if you believe that your 1099-G is incorrect, email kyou1099@ky.gov. Be sure to include your name as it appears on the 1099-G, the last four digits of your Social Security Number, a valid phone and email address for staff to reach you, and a summary of your concern or question. If you believe that someone fraudulently claimed benefit using your identity, you must also include a notarized affidavit stating that you did not receive benefits and that you believe that someone has used your identity (identity theft).

Identify Theft Issues

If you believe your identity has been used to file a fraudulent claim, please complete the UI Fraud Form online by visiting KCC.KY.GOV, clicking on "Unemployment Services" and selecting "Unemployment Insurance (UI) Fraud". Review the instructions for reporting Identity Theft to the Office of Unemployment Insurance (https://secure.kentucky.gov/FormServices/UI/Fraud), and to other government organizations such as the IRS, the Federal Trade Commission (FTC). Other tips for notifying employers, banks, and major credit agencies are also available.

The Kentucky Attorney General's website provides helpful information and resources on identity theft.

Reporting UI Fraud – Anonymous Tips

If you know of anyone collecting UI benefits while working, while unable to work, or when they are not eligible to receive these benefits, you may report fraud anonymously online by visiting KCC.KY.GOV, clicking on "Unemployment Services" and selecting "Unemployment Insurance (UI) Fraud". You will find a link on the page to the Report UI Fraud form.

Job Assistance/Career Center Services

To learn how to register for employment services or to contact a One Stop Center/Career Center, please visit www.careeronestop.org.

Trade Assistance Resources

Trade Adjustment Assistance (TAA) provides reemployment, training, or education assistance to workers who have been totally or partially separated from their jobs because of increased foreign imports or exports. Trade Readjustment Allowance (TRA) provides income assistance to workers who have been totally or partially separated from their jobs because of increased foreign imports or exports. If you believe you might be eligible to receive benefits under these programs, please contact TradeProgram@ky.gov.

Additional Help

For additional information, please visit our website at KCC.KY.GOV. This website provides a variety of resources, including helpful information for unemployed individuals, for employers, veterans, vocational rehabilitation, and more. Additional help is also available while filing the claim through additional help screens and a Chat feature. For additional help with your Kentucky Unemployment Insurance claim, please call 502-564-2900.

UI claimants who need assistance can also schedule a phone or in-person appointment at any of the 13 regional Kentucky Career Center offices throughout the commonwealth. Visit the KCC homepage and follow the "Schedule an Appointment" link. Click here for locations and hours.

Helpful Video Guides

You can find several helpful video guides and tutorials available on Kentucky Career Center's website at https://kcc.ky.gov/career/Pages/Helpful-Video-Guides.aspx. These videos cover a range of UI topics including "A Guide to Pay Order Forms", "Instructions on the UI Registration Process", "ID.me Introduction" and more. Additional videos may be found on the Kentucky Career Center YouTube channel.

Records Requests

Requesting Your Own Records (Claimants)

Per KRS 341.190, Unemployment Insurance records are confidential. You, the claimant, may request copies of your own unemployment records (See KRS 341.190(4)(b)). You can obtain copies of your own records by visiting your local Kentucky Career Center or by calling 502-545-2900. Valid identification is required.

Open Records Requests (Non-Claimants)

Per KRS 341.190, Unemployment Insurance records are The Kentucky Open Records Act ("ORA") establishes a right of access to public records maintained by public agencies, subject to certain exceptions. *See* KRS 61.870, *et* seq. Under the ORA, individuals may inspect or obtain copies of public records by submitting a written request to the appropriate agency. A public agency is not required to provide responses to requests for information.

Per KRS 341.190, Unemployment Insurance records are confidential. Individuals may request Unemployment Insurance records by submitting an open records request to OUI.CDO.OpenRecords@ky.gov. The **request must include** the requestor's name, date of birth, the last four digits of a social security number, address, and state where copies of records should be sent. Most importantly, the request should identify in detail what records are being requested, including dates. For example, if records are being sought for the past two years, state the month and year as the beginning date. Upon receipt of a request for records in conformity with the ORA, the Kentucky Office of Unemployment Insurance has five (5) business days to respond.

Equal Opportunity Statement

The Kentucky Office of Unemployment Insurance is an Equal Opportunity Employer

As a recipient of federally funded assistance programs, this recipient will comply with all equal opportunity and nondiscrimination laws and all amendments under the Civil Rights Act of 1964, Title VI; the Rehabilitation Act of 1973, Section 504; the Age Discrimination Act of 1975; and the Americans with Disabilities Act of 1990. No individual in the United States may, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and (for beneficiaries only) citizenship or participation in any Workforce Investment Act (WIOA) Title I financially assisted program or activity, be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in conjunction with any WIOA Title I-funded program or activity.

If You Believe You Have Experienced Discrimination

If you think you have been discriminated against under Title VI of the Civil Rights Act of 1964, Title VI, the Rehabilitation Act of 1973, Section 504, the Age Discrimination Act of 1975, or the Americans with Disabilities Act of 1990, you have the right to file a complaint with the Kentucky Education & Labor Cabinet.

If you think you have been subject to discrimination under a WIOA Title I financially assisted program or activity, you may also file a complaint with the Civil Rights Center (CRC), US Department of Labor, Room N-4123, 200 Constitution Ave., N.W., Washington, DC 20210. You may file a complaint within 180 days from the date of the alleged violation.

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

If the recipient does not give you a written Notice of Final Action within 90 days of the day that you filed your complaint, you do not have to wait for the recipient to issue that notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day that you filed your complaint with the recipient).

If the recipient that gives you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your complaint with CRC within 30 days of the date that you received the Notice of Final Action.

Records regarding complaints and actions shall be maintained for a period of not less than three years from the date of resolution of the complaint. The Civil Rights Center encourages informal resolution of complaints whenever possible. Attempts at informal resolution must be considered as concurrent with, and an addendum to, filing a formal complaint with CRC.

Discrimination on the basis of pregnancy of unemployment insurance claimants is prohibited by the Federal Unemployment Tax Act and the same prohibition applies to staff and applicants for employment services under the 1978 Pregnancy Disability Amendment to Title VII of the Civil Rights Act of 1964.

The Immigration and Reform and Control Act of 1986 prohibits employment services staff from discrimination in the verification of employment status on the basis of national origin and citizenship.

Complaints alleging discrimination in the verification process on the basis of national origin or citizenship shall be filed with the Office of Special Counsel (OSC) for Immigration-Related Unfair Employment Practices, U.S. Department of Justice, P.O. Box 64490, Washington, DC 20035-5490.

The Immigration Reform and Control Act requires that unemployment insurance offices verify that claimants are United States citizens or in a satisfactory immigration status before paying them benefits.

Unemployment insurance staff cannot discriminate in the verification process on the basis of race, color, national origin, age or disability. Complaints alleging discrimination in the unemployment insurance verification process shall be filed with CRC.

Glossary of Unemployment Insurance Terms

APPEAL RIGHTS – A legal right to request a higher authority to review a determination or decision; the request must be in writing and submitted in a timely manner.

APPROVED TRAINING – Claimants enrolled in a vocational school or training program may request approved training status that exempts the individual from work search requirements for a specified period.

AMEND – To make a correction to an existing UI claim.

AVAILABLE FOR WORK - In order to be eligible for Unemployment Insurance benefits a claimant must be available for suitable work. Available for work means that the claimant is ready and willing to accept suitable work. If the claimant's circumstances unduly reduce employment opportunities, the claimant may not be available for suitable work.

BASE PERIOD – The first four of the most recently completed five calendar quarters, not including the quarter in which a claim is filed; wages earned during the four quarters of the base period are used to calculate maximum and weekly benefit amounts.

BENEFIT YEAR – The 52-week period for which a claim is valid.

BYE – Benefit Year End - The date an unemployment claim expires. The Benefit Year End date is one year (52 weeks) after the claim is filed.

CALENDAR QUARTER – Three consecutive months within in a calendar year. The quarters are January to March; April to June; July to September; and October to December.

CWC – Combined Wage Claim - A type of unemployment claim that combines wages earned in the base period in Kentucky with wages earned in the same period in other states.

DEDUCTIBLE INCOME – Eighty percent (80%) of the amount of wages earned by a worker during week of unemployment. Deductions from pensions, retirement pay, annuity or other similar periodic payment will depend on specific criteria and are deductible at 100%. This amount is deducted from an individual's weekly benefit amount.

DENIED or DISQUALIFIED – The claimant is not entitled to UI benefits and will not be paid unless the denial or disqualification is reversed. See APPEAL RIGHTS.

DOCUMENT UPLOAD – An electronic means to return information to the Office of Unemployment Insurance. It is available when you login to your online account. You may upload relevant documents in .jpg, .pdf, .tif, .eps, or .pict format. The file must not exceed 5MB in size.

DURATION OF BENEFITS – The maximum number of benefit weeks available at the time of claim filing based on the State Average Unemployment Rate. Effective January 1, 2023.

E-CLAIM – A mass electronic claim filed by the employer on behalf of a group of laid-off workers. Claimants connected to E-claims should request benefits on a weekly basis during the lay-off period.

EFFECTIVE DATE – The Sunday of the week in which the initial claim application is completed.

ELIGIBLE – The claimant meets all UI eligibility criteria and is payable for benefits for the week(s) requested.

FACT-FINDING – The Office of Unemployment Insurance is mandated by both the Commonwealth of Kentucky and the U.S. Department of Labor to discover the relevant material, critical to resolving issues of UI eligibility and employer chargeability. UI staff review existing claim information and contact interested parties for more information, if needed, for the purpose issuing a determination regarding eligibility or chargeability.

FILE DATE- The date that UI claim is filed.

FRAUD or MISREPRESENTATION – Knowingly making a false statement or failing to provide complete and truthful information to the Office of Unemployment Insurance for the purpose of obtaining benefits to which one is not entitled. Obtaining UI benefits by fraud can result in civil and criminal penalties.

GROSS WAGES – The total amount of wages earned before taxes and deductions; compare to net wages. Forty (40) hours of work at $10.00 per hour is $400 gross wages; net wages are the "take home pay" or the amount of the paycheck.

INELIGIBLE – The claimant is not entitled to UI benefits and will not be paid unless the period of ineligibility has been terminated or reversed and the claimant is ruled eligible to receive benefits. See APPEAL RIGHTS.

INITIAL CLAIM – A new unemployment insurance claim that establishes a new one year period of UI benefits.

INTERSTATE CLAIM – An unemployment claim paid by Kentucky to someone who resides in another state.

IVR - Interactive Voice Response, a telephone system that responds to voice commands instead of inputs from the keypad.

PIN – An 8-digit personal identification number selected by the claimant upon creation of a UI account. The PIN is used to log in to the claim or to request benefits.

MAXIMUM BENEFIT AMOUNT (MBA) – The total amount of benefits available on a claim through the benefit year end.

MONETARY ELIGIBILITY – An individual's base period wages meet minimum requirements to establish a claim.

MOST RECENT EMPLOYER – The employer for whom an individual most recently worked.

NEXT MOST RECENT EMPLOYER – The employer for whom an individual worked before working for the most recent employer.

MONETARY DETERMINATION – A determination as to whether the claim is monetarily valid based on the claimant's base period wages and the calculation of the maximum weekly benefit amount that you may receive per week.

MONETARY RECONSIDERATION – An investigation into base period wages and a determination on whether any additional wages discovered are to be used to establish the right to or the amount of a claim.

NOTICE OF DETERMINATION – A written document issued by the Office of Unemployment Insurance notifying interested parties of the result of an investigation into the claimant's right to benefits and legal reasoning for the determination.

RETIREMENT PENSION- A pension or retirement plan is a fund that is paid into during the worker's employment and then distributed to the worker upon retirement.

STATE AVERAGE UNEMPLOYMENT RATE – The seasonal adjusted statewide unemployment rate that applies to a six-month period (Jan 1st and July 1st). Those lookback dates will provide the average rate for the preceding months. *United State Department of Labor, Bureau of Labor Statistics

SEVERANCE – Money an employer pays an employee at the end of employment based on years of service, contractual agreement, or a specific employer-defined formula.

TAX WITHHOLD or ELECTED DEDUCTION – Federal and state income taxes may be withheld from an individual's weekly benefit amount if requested by the claimant. Withholdings can be changed once per Benefit Year.

TAA – Trade Adjustment Assistance, a federal program that helps trade-impacted workers obtain their next career and the skills necessary to gain suitable employment.

TRA – Trade Readjustment Allowance, a federal program that provides income support payments to individuals who have exhausted Unemployment Insurance benefits and whose jobs were affected by international trade; see TAA.

UI – Unemployment Insurance - Temporary financial assistance for people who have become unemployed through no fault of their own. Unemployment Insurance, also called unemployment compensation, is a joint program between Kentucky and the U.S. Department of Labor.

UNEMPLOYED or UNDEREMPLOYED – Not working or connected to employment; or working less than full-time.

VALID CLAIM – See MONETARY ELIGIBILITY. A claim that is monetarily eligible to establish a claim for UI benefits.

VRU – Voice Response Unit, another name for Interactive Voice Response (IVR).

WAGES IN LIEU OF NOTICE – Money an employer pays an employee at the end of employment when the employee loses his or her job without notice. It is intended to compensate the worker for lack of notice that the job is ending. Wages paid in lieu of notice are 100% deductible from weekly benefits.

WAITING WEEK – The first compensable week of an unemployment insurance claim; the first week of the claim during which the individual would otherwise be eligible and qualified to receive benefits. By statute, Unemployment Insurance benefits are not paid for the waiting week.

WBA – Weekly Benefit Amount - The maximum amount of benefits an individual will receive for a week of total unemployment during a benefit year.

WORK SEARCH EXCEPTIONS – Claimants who meet certain requirements are exempt from performing the required work search activities. This includes claimants who are still connected to work through temporary Leave of Absence or have a verified definite recall date within 16 weeks of filing the claim. It also includes claimants who find work through a union hiring hall and those who are in an approved training program.