

2001 Provisions of the Act

Section 2(c) of the Act provides, in part, that:

"(c) Maximum Number of Days for Benefits.--

"(1) Normal benefits.--

"(A) Generally--The maximum number of days of unemployment within a benefit year for which benefits may be paid to an employee shall be 130, and the maximum number of days of sickness within a benefit year for which benefits may be paid to an employee shall be 130.

"(B) Limitation--The total amount of benefits that may be paid to an employee for days of unemployment within a benefit year shall in no case exceed the employee's compensation in the base year; and the total amount of benefits that may be paid to an employee for days of sickness within a benefit year shall in no case exceed the employee's compensation in the base year, except that notwithstanding section 1(i), in determining the employee's compensation in the base year for the purpose of this sentence, any money remuneration paid to the employee for services rendered as an employee shall be taken into account that is not in excess of an amount that bears the same ratio to \$775 as the monthly compensation base for that year as computed under section 1(i) bears to \$600.

2002 General

This article contains information about the receipt of maximum normal unemployment and sickness benefits. It contains information about sending notices to claimants who have exhausted normal benefits and about handling claims for periods following exhaustion of normal benefits for claimants who are not entitled to extended benefits. (For information about extended benefits, see AIM, Article 32.)

2002.01 Exhaustion on 130 days

A claimant exhausts normal benefits when he or she has been paid benefits for 130 days of unemployment or for 130 days of sickness.

2002.02 Exhaustion on base year compensation

A claimant exhausts normal benefits when he or she has been paid such benefits for fewer than 130 days, and the amount of benefits paid equals the amount of

his or her base year compensation. While an employee's base year compensation for the purpose of qualifying for benefits may not include compensation in excess of the monthly compensation base, it may include compensation over the compensation base for the purpose of determining exhaustion of normal benefits. Beginning with base year 1989, amounts of creditable compensation for the purpose of qualifying for and exhausting benefits were indexed to the tier I base. For example: Base year 1994 compensation for the purpose of qualifying included up to \$840 per month, with compensation up to \$1,085 per month included for the purpose of determining exhaustion of normal benefits. Future changes in these amounts will be determined and published in the Federal Register prior to the beginning of each base year.

Example: If an employee had earnings of \$2,000 in each of three months in the base year 1994, his qualifying base year compensation would be \$2,520 (3 x \$840 per month), whereas normal benefits of up to \$3,255 (3 x \$1,085 per month) could be paid before it would be considered that he had exhausted normal benefits for the benefit year 1995.

If the employee's base year compensation is less than the maximum normal benefits payable for 130 days (\$4,680 in BY 95), the computer will print Form UI-41A to be sent to the employer, requesting a report of earnings up to the maximum monthly base year compensation amount (\$1,085 in base year 1994). If Form UI-41A is not returned and follow-up with the employer becomes necessary, a special letter shall be sent to the appropriate contact official.

2002.03 Computer action in determining base year compensation.

Base year compensation is determined by sources detailed in Section 403, Article 4 of the AIM.

2003 Notice to Claimant About to Exhaust Unemployment Benefits

If the claimant is not receiving other social insurance and has less than 120 months of service, Form ID-20-I (See RPS for sample) will be prepared by the computer when one more claim will probably exhaust the claimant's rights to normal unemployment benefits. (Note: Form ID-20-I is not used during a period of high unemployment, since during such period an employee with less than 120 service months may receive extended unemployment benefits.)

2004 Notice to Claimant Who Has Exhausted Unemployment Benefits

A claimant who exhausts normal unemployment benefits and has not previously been notified that he was about to exhaust benefits is ordinarily advised of the exhaustion in connection with the determination as to extended benefits. Form ID-20-5, ID-20-6 or ID-20-9 (See RPS for samples) will be prepared by the

computer in cases where the computer establishes an extended benefit period. Cases which are not set up automatically for extended benefits are referred to an examiner for a determination and the sending of an appropriate notice (see AIM 32-I).

2005 Unemployment Claims for Periods Following Exhaustion

Claims for periods following the exhaustion of normal benefits for claimants who are not entitled to extended benefits shall be handled as follows:

- Days which are after the end of the registration period containing the claimant's last compensable day and which are before July 1 shall be disregarded as claimed days; it shall be considered that no registration has been made with respect to such days.
- Days in July which are after the end of the registration period containing the claimant's last compensable day may be considered as days of unemployment in the benefit year beginning July 1 (see AIM 11-I).
- If the claimant continues to sign for days in the benefit year after the issuing of a check for the last compensable day, Form Letter ID-20a (See RPS for sample) shall be sent to him.

2006 Notice to Claimant About to Exhaust Sickness Benefits

2006.01 Computer-prepared notice

If a claimant is not receiving other social insurance and has less than 120 service months or has attained age 65, Form ID-20-2, ID-20-3, or ID-20-4 (See RPS for samples), as appropriate, will be prepared by the computer when one more claim will probably exhaust the claimant's rights to normal sickness benefits.

2006.02 Notice by examiner

If a claimant's computer record does not show either a year of birth taken from the claimant's application or a year of birth taken from the wage record or if one of the years of birth on record indicates that the claimant has attained age 65 or could attain age 65 before the end of an extended benefit period, the case is referred to an examiner for determination and sending appropriate notice to the claimant. If the examiner determines:

- a. that the claimant attained age 65 before an extended benefit period would begin, Form Letter ID-20-3 (See RPS for sample) shall be sent;
- b. that the claimant will not attain age 65 before an extended benefit period would begin but does not have 120 months of service, a special letter shall be sent;

- c. that there is insufficient evidence to fix the claimant's date of birth, a special letter shall be sent; or
- d. that the claimant has 120 or more months of service, and will not attain age 65 before an extended benefit period would begin, no letter is necessary.

2007 Notice to Claimant Who Has Exhausted Sickness Benefits

2007.01 Computer-established extended benefit period

Form ID-20-7 or ID-20-8 (See RPS for samples) will be prepared for cases in which the computer establishes an extended benefit period.

2007.02 Cases referred for examiner determination

Cases in which the computer does not establish an extended benefit period are referred to an examiner for determination and sending of an appropriate notice in accordance with AIM 32-II.

- a. If the examiner establishes an extended sickness benefit period, the claimant shall be notified in accordance with the provisions of AIM 32-II.
- b. If the claimant attained age 65 before an extended benefit period would begin, Form Letter ID-20c (See RPS for sample) shall be sent.
- c. If an extended benefit period is not established for some other reason (less than 120 months of service, voluntary retirement, age unknown, etc.), a special letter shall be sent to the claimant.

2008 Payment of \$1.00 or Less on Exhaustion Claim

If the amount payable for the claimant's last compensable day in a benefit year is less than \$1.00, and if that day is the only compensable day in the claim period, the claim need not be processed for payment. However, if extended benefits are payable, the amount less than \$1.00 shall be included in the check for the next claim. The claimant shall be considered to have exhausted his benefit rights on the day for which that amount is paid.

2009 Inquiry Regarding Last Check

The proper ID-20 series letter shall be sent to a claimant who writes in about the amount of his or her last sickness benefit check which was smaller than usual due to the exhaustion of normal benefits.

2010 Instruction Superseded

This is a reissue of AIM 20. It supersedes all pages of AIM 20 effective prior to October 9, 1996.

2011 Form Letters Prescribed

See RUIA Procedure Supplement (RPS) for samples:

ID-20-1 through 9

ID-20a

ID-20c

ID-201

