

|-&gt;

Title 22@ Social Security

|-&gt;

Division 1@ Employment Development Department

|-&gt;

Subdivision 1@ Director of Employment Development

|-&gt;

Division 1@ Unemployment and Disability Compensation

|-&gt;

Part 1@ Unemployment Compensation

|-&gt;

Chapter 2@ Administration

|-&gt;

Article 4@ INTERSTATE AND FEDERAL COOPERATION

|-&gt;

Section 455.5-7@ Election to File a Combined-Wage Claim

## **455.5-7 Election to File a Combined-Wage Claim**

Any unemployed individual who has had employment covered under the unemployment compensation law of two or more "states," whether or not he or she is monetarily qualified under one or more of them, may elect to file a combined-wage claim. He or she may not so elect, however, if he or she has established a benefit year under any state or federal unemployment compensation law and:(1) His or her benefit year has not ended; and (2) He or she still has unused benefit rights based on such benefit year.

### **(1)**

His or her benefit year has not ended; and

### **(2)**

He or she still has unused benefit rights based on such benefit year.

### **(b)**

For the purposes of this arrangement, a claimant shall not be considered to have unused benefit rights based on a benefit year which he or she has established under a state or federal unemployment compensation law if:(1) He or she has exhausted his rights to all benefits based on such benefit year; or (2) His or her rights to such benefits have been postponed for an indefinite period or for the entire period in which benefits would otherwise be payable; or (3) Benefits are affected by the application of a seasonal restriction.

**(1)**

He or she has exhausted his rights to all benefits based on such benefit year; or

**(2)**

His or her rights to such benefits have been postponed for an indefinite period or for the entire period in which benefits would otherwise be payable; or

**(3)**

Benefits are affected by the application of a seasonal restriction.

**(c)**

If an individual elects to file a combined-wage claim, all employment and wages in all states in which he or she worked during the base period of the paying state must be included in such combining, except employment and wages which are not transferable under subdivision (b) of Section 455.5-9 of these regulations.

**(d)**

Such a potential combined-wage claimant may withdraw his or her combined-wage claim within the period prescribed by the law of the paying state for filing an appeal, protest, or request for redetermination (as the case may be) from the monetary determination of the combined-wage claim, if he or she either:

(1) Repays in full any benefits paid to him or her thereunder; or (2) Authorizes each state against which he or she files a substitute claim for benefits to withhold and forward to the paying state a sum sufficient to repay such benefits.

**(1)**

Repays in full any benefits paid to him or her thereunder; or

**(2)**

Authorizes each state against which he or she files a substitute claim for benefits to withhold and forward to the paying state a sum sufficient to repay such benefits.

**(e)**

If the combined-wage claimant files his or her claim in a state other than the paying state, he or she shall do so pursuant to the Interstate Benefit Payment Plan. (See Sections 455-1 through 455-9 of these regulations.)

**(f)**

If a State denies a combined-wage claim, it must inform the claimant of the option to file in another State in which the claimant has wages and employment during that State's base period(s).