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Title 22@ Social Security

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Division 1@ Employment Development Department

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Subdivision 1@ Director of Employment Development

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Division 1@ Unemployment and Disability Compensation

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Part 1@ Unemployment Compensation

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Chapter 5@ UNEMPLOYMENT COMPENSATION BENEFITS

1279.5-6 Claimant Responsibilities in the Claim Filing

Article 2.4@ WORK SHARING UNEMPLOYMENT INSURANCE BENEFITS

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Section 1279.5-6@ Claimant Responsibilities in the Claim Filing Process

(a)

Filing the initial claim. The employee shall file the first certification received from the work sharing employer with the department and complete a new claim as specified in Section 1326-2 of these regulations no later than fourteen calendar days after the date the certification was issued by the work sharing employer.

(b)

Filing continued certifications. The claimant shall complete and present to the department the certification received from the work sharing employer no later than fourteen calendar days after the date it was issued by the work sharing employer. If the certification is mailed to the department, it must be postmarked no later than fourteen calendar days after the date it was issued by the work sharing employer.

(c)

On each certification the information provided by the claimant shall include: (1) Whether the claimant had a change of address or telephone number that week. If so, the claimant shall supply the new address and/or telephone number. (2) If there were any reasons, other than work sharing, for not accepting all work offered to the claimant by the work sharing employer during the week to which the certification applies, such as, jury duty, holiday, illness, or personal leave. If

so, the claimant shall provide the date(s) and reason the claimant could not work.

(3) Whether the claimant worked for someone other than the work sharing employer or was self-employed during the week to which the certification applies. If so, the claimant shall provide the following: (A) The name and address of the non-work sharing employer. (B) The last date worked for the non-work sharing employer. (C) The gross earnings from the non-work sharing employer, or from jury duty, or net earnings from self-employment for the week to which the certification applies, whether paid or not. (D) A statement as to whether or not the claimant is still working for the non-work sharing employer and, if not, the date and reason for the separation from employment. (4) A statement that: (A) The information provided is true and correct to the best of the claimant's knowledge, and (B) The claimant understands that the law provides for a fine and/or imprisonment for making false statements or withholding facts to receive unemployment insurance benefits. (5) The claimant's original signature and the date signed.

(1)

Whether the claimant had a change of address or telephone number that week. If so, the claimant shall supply the new address and/or telephone number.

(2)

If there were any reasons, other than work sharing, for not accepting all work offered to the claimant by the work sharing employer during the week to which the certification applies, such as, jury duty, holiday, illness, or personal leave. If so, the claimant shall provide the date(s) and reason the claimant could not work.

(3)

Whether the claimant worked for someone other than the work sharing employer or was self-employed during the week to which the certification applies. If so, the claimant

shall provide the following: (A) The name and address of the non-work sharing employer. (B) The last date worked for the non-work sharing employer. (C) The gross earnings from the non-work sharing employer, or from jury duty, or net earnings from self-employment for the week to which the certification applies, whether paid or not. (D) A statement as to whether or not the claimant is still working for the non-work sharing employer and, if not, the date and reason for the separation from employment.

(A)

The name and address of the non-work sharing employer.

(B)

The last date worked for the non-work sharing employer.

(C)

The gross earnings from the non-work sharing employer, or from jury duty, or net earnings from self-employment for the week to which the certification applies, whether paid or not.

(D)

A statement as to whether or not the claimant is still working for the non-work sharing employer and, if not, the date and reason for the separation from employment.

(4)

A statement that: (A) The information provided is true and correct to the best of the claimant's knowledge, and (B) The claimant understands that the law provides for a fine and/or imprisonment for making false statements or withholding facts to receive unemployment insurance benefits.

(A)

The information provided is true and correct to the best of the claimant's knowledge, and

(B)

The claimant understands that the law provides for a fine and/or imprisonment for making false statements or withholding facts to receive unemployment insurance benefits.

(5)

The claimant's original signature and the date signed.

(d)

The 14-day time limit for filing the certifications may be extended for good cause as provided in Section 1326-10 of these regulations.

(e)

Upon a request by the employer, the requirements of this section may be waived upon approval by the department for the purposes of allowing the certifications to be filed by the work sharing employer through another medium, such as computer magnetic tape. The department may approve a request for a waiver if the employer can demonstrate to the department that it meets specified conditions including, but not limited to, the following: (1) The employer is capable of providing the department with all information required by this section through another medium, such as electronic filing or computer magnetic tape filing; (2) The information will be provided in a format which the department is capable of processing based upon available facilities, equipment and personnel; (3) The claims for benefits can be processed in a more timely manner; and (4) That other statutory and regulatory requirements pertaining to claims for benefits will be satisfied.

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(2)

The information will be provided in a format which the department is capable of processing based upon available facilities, equipment and personnel;

(3)

The claims for benefits can be processed in a more timely manner; and

(4)

That other statutory and regulatory requirements pertaining to claims for benefits will be satisfied.