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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

**1326-6 Continued Claim for Unemployment Benefits -Filing**

Article 3@ FILING, DETERMINATION, AND PAYMENT OF UNEMPLOYMENT COMPENSATION BENEFIT CLAIMS

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Section 1326-6@ Continued Claim for Unemployment Benefits -Filing and Contents

**(a)**

"Continued claim" means an application to serve a waiting period or for the receipt of benefits which certifies to a week of unemployment. (For a general description of the claims filing procedures for unemployment benefits, see Section 1326-1 of these regulations.)

**(b)**

The claimant may file a continued claim at a department field or branch office by mail and be paid benefits by mail. The claimant shall file a continued claim for the first compensable week or weeks at a department field or branch office in person, except as provided in Section 1326-11 of these regulations. The claimant shall report at a department field or branch office in person at other times for an eligibility interview, and for periodic eligibility reviews every two to ten weeks, as required by the department. The continued claim shall set forth the claimant's social security account number and the claimant shall certify with respect to each week: (1) That he or she was unemployed or working on a part-time or reduced earnings basis. (2) The amount of his or her earnings for work, whether paid or not. (3) Whether he or she was physically able to work full time each of the seven days in the week. If no, the number of days he or she was unable to work. (4) Whether there was any other reason he or she could not have worked full-time

each workday. (5) Whether he or she did try to find work. If requested by the department, the date applied for work, the company name and address, the person contacted, the type of work applied for, and the results of the contact. (6) Whether he or she refused any work. (7) Whether he or she began attending any school or training. (8) That he or she did not have a change in address, or his or her new address if he or she has had a change of address. (9) If he or she did any work during that week, the following: (A) The employer for whom he or she worked, and the employer's address. (B) The number of hours worked during the week and the last day he or she worked. (C) The reason he or she is no longer working. (10) That he or she declares under penalty of perjury that he or she is a U.S. citizen or national; or an alien in satisfactory immigration status and permitted to work by the Immigration and Naturalization Service. (11) That he or she is aware the law provides penalties for the commission of a misrepresentation of facts to receive benefits and that he or she is signing the application for benefits after the date for which benefits are being claimed. (12) Such other information as the department may require.

**(1)**

That he or she was unemployed or working on a part-time or reduced earnings basis.

**(2)**

The amount of his or her earnings for work, whether paid or not.

**(3)**

Whether he or she was physically able to work full time each of the seven days in the week. If no, the number of days he or she was unable to work.

**(4)**

Whether there was any other reason he or she could not have worked full-time each workday.

**(5)**

Whether he or she did try to find work. If requested by the department, the date applied for work, the company name and address, the person contacted, the type of work applied for, and the results of the contact.

**(6)**

Whether he or she refused any work.

**(7)**

Whether he or she began attending any school or training.

**(8)**

That he or she did not have a change in address, or his or her new address if he or she has had a change of address.

**(9)**

If he or she did any work during that week, the following: (A) The employer for whom he or she worked, and the employer's address. (B) The number of hours worked during the week and the last day he or she worked. (C) The reason he or she is no longer working.

**(A)**

The employer for whom he or she worked, and the employer's address.

**(B)**

The number of hours worked during the week and the last day he or she worked.

**(C)**

The reason he or she is no longer working.

**(10)**

That he or she declares under penalty of perjury that he or she is a U.S. citizen or national; or an alien in satisfactory immigration status and permitted to work by the Immigration and Naturalization Service.

**(11)**

That he or she is aware the law provides penalties for the commission of a misrepresentation of facts to receive benefits and that he or she is signing the application for benefits after the date for which benefits are being claimed.

**(12)**

Such other information as the department may require.

**(c)**

The claimant shall, to maintain his or her eligibility to file continued claims during a continuous period of unemployment, file continued claims at intervals of not more than two weeks, or such other interval as the department shall require, unless he or she shows good cause for his or her delay in filing his or her continued claim.

**(d)**

If a claimant who is directed by the department to file in person is unable to appear at a department field or branch office because he or she has returned to work or for other good cause, he or she may notify such office of such fact and file a continued claim by mail for any week of unemployment with respect to which a continued claim was not filed because of his or her reemployment or any other good cause found by the director. If a claimant who is directed by the department to file in person is unable to appear at the department field or branch office at which the claimant has previously filed claims because the claimant is seeking work in another locality, he or she may report to and file a continued claim at the department field or branch office in that locality.

**(e)**

Extensions of time to file a continued claim for good cause are subject to the limitations provided by Section 1326-10 of these regulations.

**(f)**

When a claimant has a right to file an appeal from a determination of the department to an administrative law judge, or from a decision of an administrative law judge to the California Unemployment Insurance Appeals Board, or the right to seek judicial review of a decision of the Appeals Board, the department shall advise the claimant that in order to preserve his or her right to benefits for weeks during which the matter is under appeal or judicial review, he or she should file a continued claim for each of such weeks.

**(g)**

If the claimant had a change of address during the benefit year of any regular claim or extended benefit claim, the department may require the claimant to provide proof of identity in accordance with the provisions set forth in Section 1326-3 of these regulations.