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**INFORMATION
FOR WORKERS
ABOUT
UNEMPLOYMENT
COMPENSATION**

in Iowa

**IOWA EMPLOYMENT SECURITY
COMMISSION**

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WARNING!

Constant vigilance is maintained to detect fraud in the collection of unemployment pay. The law prescribes penalties of fine and imprisonment for persons guilty of obtaining benefits through misrepresentation.

Be careful to make no false statements and do not fail to report all work performed and all wages earned during any week for which benefits are claimed. Dependents must be properly reported.

FOREWORD

The purpose of this booklet is to provide the workers of Iowa with a brief explanation of the more important provisions of the Iowa Employment Security Law.

Additional information pertaining to unemployment compensation may be obtained at any local Iowa State Employment Service office, or by addressing the Iowa Employment Security Commission.

UNEMPLOYMENT COMPENSATION FOR WORKERS

Under unemployment compensation (or insurance) a reserve is built up by means of a tax upon payrolls in commercial and industrial employment. From this reserve weekly benefits are paid to eligible workers who become unemployed through no fault of their own. It is in effect an insurance against loss of work.

The plan is financed entirely by a tax on payrolls. The tax is paid by the employer. Iowa workers do not contribute to the support of unemployment compensation.

Any deductions made by employers from workers' paychecks are for purposes other than unemployment insurance.

WHO IS ELIGIBLE TO DRAW BENEFITS?

In order to have wage credits established to your account upon which benefits may be based, you must have been employed by an employer subject to the law. Generally speaking an employer subject to the law is one engaged in commercial or industrial pursuits and who employs four or more workers.

Certain types of employment are exempted and wages earned in such employment are not included in determining a worker's rights to benefits.

Exempted employments are:

1. Agricultural labor.
2. Domestic service performed in a private home.
3. Service performed for the State of Iowa or any city, county, school district, or other political subdivisions.
4. Service performed for charitable and non-profit organizations, such as hospitals, foundations and the like.
5. Service performed in the employ of the worker's son, daughter, husband or wife; service by a minor in the employ of his father or mother.
6. Service performed during school vacations or outside of school hours by students who devote their time and efforts chiefly to their studies, rather than to incidental employment.

7. An individual employed by an employer engaged in the canning or freezing of fresh perishable fruits or vegetables and employed solely within the canning season as determined by the Commission, shall not be eligible to receive benefits based on such employment unless he earns wages of two hundred dollars or more for employment performed for one or more other employers during his base period.

EMPLOYER LIABILITY

Employers who are engaged in business not included in any of the above exemptions and who employ four or more individuals for some portion of a day in twenty different weeks within a calendar year, are the employers who are subject to the law and who pay the tax upon their payrolls.

FEDERAL CIVILIAN EMPLOYEES

Title XV of the Social Security Act, effective on January 1, 1955, provides for the payment of unemployment compensation to Federal civilian employees who are unemployed after December 31, 1954. The law covers all civilian employees of the United States or of instrumentalities wholly owned by the United States, with certain specified exceptions.

Compensation is to be paid by State employment security agencies in accordance with their state laws. Federal law applies to prosecutions for fraud. This program will be referred to as UCFE.

EX-SERVICEMEN

Ex-servicemen who had military service after January 31, 1955, or who were discharged after October 27, 1958, may be eligible for unemployment compensation based on their military service. The State laws and regulations pertaining to eligibility and disqualification apply to ex-servicemen's benefits, except that Federal law applies to prosecutions for fraud.

HOW TO FILE A CLAIM

If you become totally or partially unemployed you should immediately report at the nearest office of the Iowa State Employment Service and file a claim for unemployment benefits. Delay in filing a claim means delay in the payment of benefits. You must present your social security

card at the time of filing a claim for benefits as all records are maintained by number.

If you are an ex-serviceman, you must also present your discharge papers. If you worked in Federal employment, you must also present your separation notice.

WAITING PERIOD

You cannot draw benefits until you have served a one-week waiting period if your claim is for total unemployment, or two weeks if your claim is for partial unemployment. No matter how long you have been unemployed, the waiting period must be served **AFTER** the effective date of an original claim for benefits.

DECISION ON CLAIM

A representative of the Commission, called a "deputy", will issue a decision on your claim.

If you are eligible for benefits, the weekly benefit amount and the maximum benefits which you may draw will be indicated. If you are disqualified, the extent and the reason for the disqualification will be shown. Your right of appeal is explained in the section "Appeal Hearings."

If the decision which you receive does not include **all** of the wages which you were paid in your base period, call this fact to the attention of the claims taker.

ELIGIBILITY

In order to be eligible for unemployment insurance, you must be:

1. Unemployed, able to work, available for work, and be earnestly and actively seeking work. You must be willing to accept suitable work, if offered. Mere registration for work at the public employment office does not of itself establish that you are able and available for suitable work.
2. You shall make such personal efforts to find work as are customarily made by persons in the same occupation who are genuinely interested in obtaining employment. The phrase "efforts to find work" does not mean haphazard application for work with a fixed number of employers. It means that you shall use the facilities and methods which

are normally used by persons in your occupation when seeking work. If you do not make a reasonably diligent effort to secure work during any week for which you are claiming benefits when directed to do so by the employment office, you will be ineligible for benefits for such week unless you furnish a satisfactory reason for your failure to do so.

Your availability is determined on a week-to-week basis; and you must keep the local employment office currently advised of your status of availability.

3. You must have registered for work and filed a claim for benefits in accordance with the provisions of the law.
4. You must have been paid wages in insured work of not less than \$200.00 in one quarter of your base period and not less than \$100.00 in another quarter of your base period.

EXPLANATION OF BASE PERIOD AND BENEFIT AMOUNTS

The amount of benefits you may receive is determined by the amount of wages paid in covered employment during your base period. The base period consists of the first four of the last five completed calendar quarters preceding the date on which you file a valid claim for benefits. Insured wages paid to you in this 12-month period only are used in computing your weekly and total benefit amounts. Base periods are as follows:

If you file a valid claim in:	Your base period is the 12 months ending the previous:
January, February or March	September 30
April, May or June	December 31
July, August or September	March 31
October, November or December	June 30

The base period, or period during which you must have received sufficient wages to qualify, is the four full calendar quarters indicated above.

The amount credited to your account is one-third of your quarterly earnings or 7.2 times your weekly benefit amount, whichever is lesser. The

total amount cannot exceed 26 times your weekly benefit amount. Wages earned in the quarter in which a claim is filed and in the preceding lag quarter are not included. The table for computing your weekly benefit amount is on the following page.

To be able to draw benefits you must have worked for one or more employers liable under the Iowa Employment Security Law during your base period. You must have earned \$300 in insured employment of which at least \$200 must be in one calendar quarter and at least \$100 in one other calendar quarter. To qualify for a second benefit year, you must earn \$100 in insured work after you filed the previous claim. You must also meet the eligibility requirements explained elsewhere in this booklet.

Unemployment insurance does not cover those unemployed during illness. It is not a retirement plan.

PAYMENT FOR BENEFIT WEEKS

Claims for **total unemployment** are paid on a calendar week basis which begins on Sunday and ends on midnight of the following Saturday.

Claims for **partial unemployment** are paid on the basis of the employer's pay period week.

DEFINITIONS

1. A WORKING SPOUSE is one who is working and earning more than \$30 per week, or one who has sufficient wages in insured work in Iowa during your (the claimant's) base period to qualify for U. C. benefits in his (or her) own behalf. The \$30 requirement to be considered as a "working" spouse does not have to be in insured work.
2. A NON-WORKING SPOUSE is one not working at all or is working and not earning more than \$30 per week, provided you (the claimant) furnished more than one-half the cost of his (or her) support for 90 days prior to the filing of a claim or for the duration of the marital relationship if it has existed for less than ninety (90) days.
3. A DEPENDENT CHILD is a natural child, step-child, or a legally adopted child, under 18 years of age, or over 18 if such child is mentally or physically unable to provide for himself (or herself), and provided further that you furnished more than one-half of the cost of his (or her) support for ninety days prior to the filing of a claim. Provided further that no other person has claimed the same child as a dependent on an Iowa claim during the preceding 12-month period.

NOTE—A change in family status during the benefit year will not affect the amount of benefits originally established. If your weekly benefit amount, based on high quarter wages, computes to \$30 or less per week, the number of dependent children you claim, and whether you have a working or non-working spouse, will not increase such benefit. A single person, or married person with a working spouse and no children will not be eligible for more than \$30 per week maximum regardless of the amount of earnings in the high quarter.

CONTINUING A CLAIM FOR TOTAL UNEMPLOYMENT

You, after having filed a claim for total unemployment benefits, must report to the employment office each week or every other week as directed by the office, if you continue to be unemployed and desire to claim compensation. On these reporting days, you must certify that you are unemployed and able and available for work and that you are actively seeking work. **You must also report any earnings you receive from any source, and any services you have performed during the preceding week or weeks for which you are claiming benefits. You must also report any other remuneration which you are receiving or have received as indicated under item 5 on pages 12 and 13.**

PARTIAL UNEMPLOYMENT

The law provides benefits for two types of unemployment, that is, the worker who is totally unemployed, and the worker who is partially unemployed.

1. An individual is deemed totally unemployed in any week with respect to which no wages are payable to him and during which he performs no services.
2. An individual is deemed partially unemployed in any week in which, while employed at his then regular job, he works less than the regular full-time week and in which he earns less than his weekly benefit plus six dollars.
3. An individual is deemed partially unemployed in any week in which he, having been separated from his regular job, earns at odd jobs less than his weekly benefit amount plus six dollars.

If you receive earnings in any compensable weeks your adjusted benefit amount will be the difference between the weekly benefits amount and the amount of your earnings reduced by six dollars.

Example:

Weekly Benefit Amount	\$30.00
Earnings \$18.00 less \$6.00	12.00
	<hr/>
Benefits Payable	\$18.00

If your earnings are less than \$6, you will be entitled to your full weekly benefit amount.

If you are partially unemployed you are eligible to draw partial benefits for weeks in which your

wages are less than your weekly benefit amount plus \$6. You should consult your employer or your local employment service office to determine when you are entitled to partial benefits, and when you should file your claim.

SHOULD FILE IMMEDIATELY

You should not delay filing for benefits when you are totally or partially unemployed. By reason of delay you may lose part or all of the benefits to which you may otherwise be entitled.

DISQUALIFICATION

You may be disqualified if you:

1. Leave your work voluntarily without good cause attributable to the employer. (This means that no benefits may be paid to you which are based on wages earned prior to the date of your leaving.) But you shall not be disqualified if the Commission finds that you left:

- a. To accept a better job and you remain on that job 6 weeks or longer.
- b. To return to a regular employer from a temporary job and you were hired on the temporary job with that understanding. If you leave the temporary job because it was unsuitable, you will forfeit only the temporary job credits.
- c. To care for a member of your immediate family who is ill or injured and you did not take other employment during such period.*
- d. Upon the advice of a licensed and practicing physician because of your own illness or injury, your employer must be notified immediately.*
- e. Upon the advice of a licensed and practicing physician to take a member of your family to a different climate.*
- f. For not more than ten working days, or for a longer period if agreed to by your employer for compelling personal reasons, provided you notify your employer in advance, and provided further that you are the principal support of your family or you are single, a widow, a widower, or legally separated.*

*NOTE: The saving provisions in paragraph (c), (d), (e), and (f) above will be applied only if at the end of those conditions you immediately return to your employer and offer your services and your regular or comparable work is not available.

g. Voluntarily and after such leaving you take other employment and you are laid off for lack of work by such last employer, you will not be disqualified provided 90 days have elapsed from the date of such voluntary leaving if you are the principal support of your family, or you are single, a widow, widower or legally separated.

2. Have been discharged for misconduct in connection with his employment. This means that you shall forfeit not less than four nor more than nine weeks of benefits, as may be ordered by the Commission.

3. Fail without good cause, to apply for available, suitable work when so directed by the employment office, or fail to accept suitable work when offered to you, or to return to your customary self-employment. (This means that no benefits may be paid to you which are based on wages earned prior to the date of such failure to apply or non-acceptance, whichever is applicable.)

4. Are unemployed due to a stoppage of work which exists because of a labor dispute at the place of business of your last employer, unless it is shown to the satisfaction of the Commission that (1) you are not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and (2) you do not belong to a grade or class of workers of which immediately before the commencement of the stoppage there were members employed at the premises at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute.

5. Other compensation. For any week with respect to which you are receiving, have received, or are entitled to receive payment in the form of:

- a. Wages in lieu of notice;
- b. Compensation for temporary disability under the workmen's compensation law of any state or under a similar law of the United States or;
- c. Old Age Benefits under Title II of the Social Security Act (42 U.S.C. Ch. 7) as amended or similar retirement payments under any Act of Congress.
- d. Benefits paid as retirement pay or as retirement pension (retirement pay, compensation and pensions based on military service are exempt).

Provided that if such remuneration is less than the benefits which would otherwise be due under this chapter, you would be entitled to receive for such week if otherwise eligible, benefits reduced by the amount of such remuneration.

DEDUCTIONS FOR SOCIAL SECURITY RETIREMENT BENEFITS

If you are of retirement age (women 62 years, men 65 years) and have received a letter of award from the Social Security Board for retirement benefits, such benefits will be pro-rated and deducted from your unemployment benefits.

If you have not filed for Social Security retirement benefits or have not received your letter of award we will pro-rate and deduct the maximum retirement benefits possible under the Social Security Act until you present your letter of award or evidence that you are not entitled to such benefits.

APPEAL HEARINGS

If the deputy's decision is not in accord with the facts or the law in the case, you have the right of appeal. When an appeal is filed, the case comes before an appeal tribunal and a hearing is set as early as possible, and you will be notified of the time and place of the hearing. The employer, or other interested party, also has the right of appeal from the deputy's decision. Any appeal, however, must be filed within seven days from the date of mailing of such determination or within five days if delivered personally and must specify the basis for the appeal. If you appeal, you should be present at the hearing. At the hearing you present your evidence, the records are made available, and the case is reviewed and determined upon its merits and in accordance with the law as it applies to the case.

The appeal referee, after the hearing is held, promptly notifies the interested parties of his decision and the reason therefor.

The decision of the appeal referee may be appealed to the commission, and the decision of the commission may be appealed to the district court. The appeal in each case must be filed within the time limit set by law, and notice of such time limit will be included on each decision issued by this agency.

SOCIAL SECURITY NUMBER

You should have one and only one social security number. The employer reports earnings to the commission by social security account numbers. If the employer is unable to report your earnings under the correct social security number, there is always a possibility of error which may cause you to lose some of your wage credits.

INTERSTATE CLAIMS

Iowa has a reciprocal agreement for the payment of benefits with the other states and territories. If you live in Iowa and have wage credits with another state, Iowa will act as the agent state in accepting your claim against the state in which you have wage credits. If you file a claim in Iowa and change your residence to another state, you may continue your claim with the nearest State employment service office in that state.

EMPLOYMENT OFFICES

The important object to every worker who becomes unemployed should be to find another job. To assist unemployed workers, the Iowa State Employment Service maintains full-time offices in the principal cities in Iowa, and an itinerant service reaching into most counties. An unemployed worker who files a claim for benefits will be provided free service to assist him in finding suitable employment.

WARNING

Do not accept hearsay in regard to your unemployment benefits. If you are unemployed you should go immediately to your nearest employment office and file a claim for benefits.

You need not employ any individual to assist you in securing your rights to benefits. The representative in the local employment office or at the itinerant point of the Iowa State Employment Service will not only take your claim but also give you necessary information regarding unemployment compensation.

You must report your dependents correctly at the time you file your claim.

If, after filing your claim, you secure any employment or do any work even though you do not receive pay for your services, you must report all the facts in connection therewith to the employment office where your claim is filed on your next regular report date. You should be careful to

avoid making any false statements, and do not under any circumstances accept benefits obtained by misrepresentation. Do not certify that you were unemployed or available for work in any week in which you were employed. The law provides a severe penalty for this offense.

Full-time Offices of the Iowa State Employment Service

The Iowa State Employment Service maintains full-time offices in each of the following cities. Consult your local telephone directory for street address.

Full-Time Offices

Ames	Decorah	Oelwein
Atlantic	Des Moines	Oskaloosa
Boone	Dubuque	Ottumwa
Burlington	Fairfield	Perry
Carroll	Fort Dodge	Shenandoah
Cedar Rapids	Fort Madison	Sioux City
Centerville	Iowa City	Spencer
Charles City	Keokuk	Storm Lake
Clinton	Marshalltown	Waterloo
Council Bluffs	Mason City	Webster City
Creston	Muscatine	
Davenport	Newton	

Service is also available in some counties on a part-time basis. For exact time and place, consult your local newspaper, ask a county or city official or contact the nearest full-time office.

UPON BECOMING TOTALLY OR PARTIALLY UNEMPLOYED YOU SHOULD IMMEDIATELY FILE A CLAIM AT THE NEAREST OFFICE OF THE IOWA STATE EMPLOYMENT SERVICE.

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